

18.04.2022

Sl. No. 13

Court No.7

B.M.

C.O 819 of 2022

Birendra Kumar Sarkar

Vs.

Sanjeeb Sarkar

Mr. Tarak Nath Halder ... for the petitioner

A direction to secure expeditious disposal of a suit for eviction of a licensee, instituted in the year 2020, is the ultimate relief sought for in this revisional application.

Upon perusal of the photocopy of the order passed by the learned court below annexed with the instant revisional application, it appears that 7th July, 2022 is the next date fixed for acceptance of written statement.

Mr. Halder, learned advocate appearing for the petitioner submits that the plaintiff has no objection against the acceptance of written statement, though filed belatedly as per provision available under Order 8 Rule 1 of CPC.

It is the only submission disclosed by Mr. Halder that the suit may be expedited upon acceptance of written statement.

In view of nature of the order proposed to be made in this case, no prior notice is considered to be necessary. Service upon the opposite party is, thus, dispensed with.

Accordingly, learned Civil Judge, Junior Division, 2nd Court, Sealdah in connection with Title Suit No.73 of 2020 is requested to ensure expeditious disposal of suit, after causing disposal of the inter locutory application, if there be any, providing sufficient opportunity of hearing to either of the parties in this case, but without granting unnecessary adjournment, unless it is extremely unavoidable.

Since, the petitioner is a senior citizen aged about 80 years, as per submission disclosed by Mr. Halder, the learned court below may proceed with the disposal of the suit in the manner, as situation of the case would demand, so as to dispense with justice in a best possible manner.

Petitioner is directed to communicate this order to the learned court below as well as the learned advocate appearing for the opposite party and the opposite party.

With this direction and observation, the revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J)