

13.04.2022
Item No.27
Ct. No.7
CHC
(disposed of)

**C.O.824 of 2022
(Physical Hearing)**

**Indrajit Singh
Vs.
Dipak Dutta**

Mr. Rajdeep Bhattacharya
...for the petitioner

A direction to secure expeditious disposal of a pending suit vide Ejectment Suit No.123 of 2011, now pending before the learned Civil Judge (Junior Division), 2nd Additional Court, Alipore, is the ultimate relief sought for in this case.

At the very onset, learned advocate for the petitioner draws attention of this Court to the order passed by a coordinate Bench of this Court in C.O.103 of 2019, directing the court below to ensure expeditious disposal of suit within a stipulated period of time mentioned over there.

It is contended by the learned advocate for the petitioner that such direction of this Court has not been complied with.

Admittedly, this is a suit for ejectment instituted in the year 2011, by the landlord/plaintiff/petitioner.

In view of the 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.

Upon perusal of the photocopies of the order annexed with the instant revisional application, it appears that an interlocutory application under Order 14 Rule 1 and 2 C.P.C. is pending hearing for decision.

Accordingly, learned Civil Judge (Junior Division), 2nd Additional Court, Alipore, in Ejectment Suit No.123 of 2011, is requested to ensure expeditious disposal of the pending suit, after causing disposal of interlocutory application referred hereinabove, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

While endeavouring this exercise, it is believed that the learned court below would proceed with the disposal of the suit, in a best possible manner, as the situation of the case would demand, upon sensing the purport of the message conveyed in C.O.103 of 2019.

Petitioner is directed to make communication of this order to the learned court below as well as to the learned advocate appearing in the court below for the opposite party and opposite party as well.

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.)