

20.04.2022
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ct. no. 7
sb

C.O 872 of 2022

Sri Sukhen Boral
-vs-
Sri Subir Boral

Mr. Manas Kumar Das
Mr. Prantick Ghosh
...for the petitioner

A direction to secure expeditious disposal of a partition suit, registered in connection with Title Suit No. 756 of 2017, pending before the Court of learned Civil Judge (Senior Division), 2nd Court, Barasat, North 24 Parganas is the ultimate relief as sought for in this case.

Learned advocate for the petitioner submits that the petitioner being the plaintiff has already concluded his evidence sometime in the year 2019, but till date, there has been no logical conclusion reached for adjournment being granted on the prayer of the defendant/opposite party.

The only contention expressed by the learned advocate for the petitioner is against the delay caused in the disposal of the partition suit.

Upon perusal of the photocopy of the orders passed by the learned court below annexed with the instant revisional application, it appears that the court below is going through the stage of

collection of evidence, to be adduced by the defendant.

In view of the nature of the order proposed to be made in this case, no prior notice is considered to be necessary.

The service upon the opposite party is thus dispensed with, so far as the present revisional application is concerned.

Accordingly, the learned Civil Judge (Senior Division), 2nd Court, Barasat, North 24 Parganas is requested to ensure expeditious disposal of pending title suit no. 756 of 2017, referred hereinabove, after adhering to the formalities under the law, and providing sufficient opportunities of hearing to both the parties, but without granting any unnecessary adjournment to either of the parties, unless it is extremely unavoidable.

The petitioner is directed to communicate this order to the learned Court below, opposite party and their advocates as well.

With this directions and observations, this revisional application stands disposed of.

Urgent photostat certified copy of this order duly applied for, be given to the parties upon compliance of all requisite formalities.

(Subhasis Dasgupta, J.)