

35 05.05.
2022
AGM
Ct
07

C.O. 954 of 2022

**Gopal Chandra Das @ Gopal Chandra Das Bichali
Vs
Subimal Das**

Mr. Saswata Bhattacharya, ... for the petitioner.

A direction to secure expeditious disposal of of Title Appeal No. 09 of 2017, is the ultimate relief sought for in this case.

Admittedly, petitioner is the respondent-decree holder.

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

Incidentally, it is submitted that previously hearing was concluded in this appeal, and the case was posted for argument, but due to change of Presiding Officer on transfer, the judgment could not be delivered.

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

Service upon the opposite party is thus dispensed with.

Accordingly, learned Additional District & Sessions Judge, 2nd Fast Track Court, Alipore is directed to ensure expeditious disposal of Title Appeal

No. 09 of 2017, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournment, unless it is extremely unavoidable.

While endeavouring such exercise, the learned Judge may conclude the hearing, bearing in mind the institution of this appeal and proceed with the disposal of the appeal in a manner as situation of the case would demand, so as to dispense with justice in a best possible and expeditious manner.

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 the opposite party.

This would not, however, prevent the learned Judge remaining in charge of Additional District & Session Judge 2nd Fast Track Court, Alipore to dispose of the appeal subject to his suitability and convenience.

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

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Subhasis Dasgupta, J)

