

06.05.2022
Item No.7
Ct. No.7
CHC
(disposed of)

C.O.960 of 2022

**Gopal Chandra Das alias Gopal Chandra Das
Bichali
Vs.
Prakash Halder**

Mr. Saswata Bhattacharya
...for the petitioner

A direction to secure expeditious disposal of Title Appeal No.11 of 2017, pending before learned Additional District and Sessions Judge, 2nd Fast Track Court, South 24 Parganas, at Alipore, is the ultimate relief sought for in this case.

Admittedly, petitioner is the respondent-decreeholder.

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 judgement could not be delivered.

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

necessary. Service upon the opposite party stands dispensed with.

Accordingly, learned Additional District and Sessions Judge, 2nd Fast Track Court, at Alipore, South 24 Parganas, is directed to ensure expeditious disposal of Title Appeal No.11 of 2017, 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 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 & Sessions Judge, 2nd Fast Track Court, Alipore to dispose of the appeal subject to his suitability and convenience.

With this observation/direction, 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.)