

28.04.2022

Sl. No. 40

Court No.7

B.M.

C.O 965 of 2022

Jayanta Kumar Basu

Vs.

Smt. Mousumi Roy & Anr.

Mr. Arnab Roy

Mrs. Sayani Ahmed

... for the petitioner

A direction to secure expeditious disposal of an eviction suit is the ultimate relief sought for in this case, for delay being caused in the disposal of suit.

Admittedly, the suit for eviction was instituted in the year 2016. The suit was ultimately proceeded to the stage of peremptory hearing. It is at this stage, suddenly opposite party/defendant no.1 filed one application dated 16th September, 2021, praying for submitting supplementary written statement, as a result of which, the present suit was shifted back to a stage for disposal of such prayer of the opposite party/defendant no.1.

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 parties stands dispensed with.

Accordingly, learned Civil Judge, Senior Division, 2nd Court, Barasat in Title Suit No.213 of 2016 is requested to ensure expeditious disposal of pending inter locutory application dated 16th September, 2021,

providing sufficient opportunity of hearing to either of the parties to the case, but without granting unnecessary adjournment, unless it is extremely unavoidable.

This would not however, prevent the court below to ensure expeditious disposal of the suit after causing disposal of inter locutory application mentioned hereinabove.

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

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)