

06.05.2022
Item No.29
Ct. No.7
CHC
(disposed of)

C.O.1020 of 2022

Sri Chandra Sekhar Prasad Shaw
Vs.
Sri Chandra Bhanu Prasad Shaw & ors.

Mr. Prabir Kumar Misra,
Mr. Shibendra Nath Chattopadhyay,
Mr. Priyam Misra
...for the petitioner

A direction to secure expeditious disposal of Misc. Case No.20526 of 2014, arising out of Title Suit No.12466 of 2014 of learned Civil Judge (Senior Division), 7th Court, Alipore, is the ultimate relief sought for in this case.

Admittedly, the referred Misc. Case is under Section 4 of the Partition Act.

As per submission disclosed by Mr. Misra that Misc.Case has already been set for *ex parte* hearing. It is at the stage of *ex parte* hearing, several interlocutory applications have come up at the instance of the opposite parties.

The only contention expressed by the learned advocate for the petitioner is against the delay caused in the disposal of referred Misc.Case.

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 parties stands dispensed with.

Accordingly, learned Civil Judge (Senior Division), 7th Court, at Alipore, is requested to ensure expeditious disposal of Misc.Case No.20526 of 2014, after causing disposal of interlocutory applications, 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, there should not have been any adjournment granted on the mere asking of any of the parties to this case, without being objectively satisfied.

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 parties and opposite parties.

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.)