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C.O. 1116 of 2022

**Cygnus Developers (India) Private Limited
Vs
Shampa Sadhya & Ors**

Mr. Megnath Datta,
Mr. Lal Ratan Mondal,

... For the petitioner.

Admittedly, Title Suit No. 1021 of 2012 and Title Suit No. 426 of 2015 are being tried analogously by the learned Judge, III Bench, City Civil Court at Calcutta.

A direction to secure expeditious disposal of those two suits tried analogously, is the ultimate relief sought for in this case.

Mr. Megnath Datta, learned advocate appearing for the petitioner/defendant No. 4 advertng to order dated 25th November, 2014 passed in G.A. 3149 of 2014, G.A. 3209 of 2014, A.P.O.T. 553 of 2014, A.L.P. 24 of 2013, and order 13th August, 2019 passed in C.O. 2684 of 2019 submits that despite specific direction issued from this Court requiring the court below to ensure expeditious disposal of those two suits, referred above, but till date there has been no logical conclusion reached.

It is contended by learned advocate for the petitioner that disposal of suits got delayed because of the non disposal of an application filed under

Order 26 Rules 1 and 2 of the Code of Civil Procedure, praying for collection of evidence of witness upon appointing learned Deposition Commissioner for the purpose.

It is disclosed from the submission of Mr. Datta that ultimately such application for Deposition Commissioner has already been not pressed today.

The only contention expressed is against the delay caused in the disposal of two suits, referred hereinabove.

No other point is raised requiring address by this Court.

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 parties is thus dispensed with.

Accordingly, learned Judge, III Bench, City Civil Court at Calcutta in Title Suit No. 1021 of 2012 and Title Suit No. 426 of 2015 is requested to dispose of those two suits, tried analogously, expeditiously as possible, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournment, unless it is extremely unavoidable, upon sensing the message already issued in C.O. 2684 of 2019.

While endeavouring such exercise, interlocutory

applications, if there be any, pending may also be disposed of so that logical conclusion of the suits may be reached.

Petitioner is directed to make communication of this order to the learned court below as well as to the learned advocates appearing in the court below for the opposite parties and the opposite parties.

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)