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**C.O. 1133 of 2022**

**Sri Ashoke Kumar Gupta & Anr.  
Vs  
Sri Pacchu Naskar & ors.**

Mr. Gaurav Purkayastha,  
Mr. S. Maitra, ... For the petitioners.

A direction to secure expeditious disposal of Title Suit No.166 of 2014, now pending before learned Civil Judge (Junior Division), 2<sup>nd</sup> Court, Alipore, is the ultimate relief sought for in this case.

Mr. Gaurav Purkayastha, learned advocate appearing for the petitioners advert to order dated 16<sup>th</sup> January, 2019 passed in C.O.4369 of 2018, and order dated 5<sup>th</sup> November, 2019 in C.O. No.3577 of 2019, submits that in spite of the direction for expeditious completion of the suit, the pending suit has not yet been disposed of upon reaching logical conclusion.

It is contended by the learned advocate for the petitioners that cross-examination of P.W.1 is getting delayed due to adjournments being granted on the prayer of the opposite parties, causing protraction to the trial of the case, in spite of the latest direction passed in C.O. No.3577 of 2019, requiring the Court below to fix an early date for completion of cross-examination of plaintiffs witnesses, and thereafter to fix short dates for disposal of the suit.

No other point is raised requiring address by this Court.

When there is already order requiring expeditious disposal of the suit, no other order is required to be made at this stage.

Accordingly, learned Civil Judge (Junior Division), 2<sup>nd</sup> Court, Alipore, in Title Suit No.166 of 2014, is requested to ensure expeditious disposal of pending suit, 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 conveyed in C.O.3577 of 2019.

While endeavouring such exercise, the learned Court below may proceed with the disposal of the suit, in the manner, as situation of the case, would demand, so as to dispense with the justice in a best possible and expeditious manner, and logical conclusion of the suit may be reached at an early date.

Petitioners are 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 this order, if

applied for, be given to the parties on usual undertakings.

**(Subhasis Dasgupta, J)**