

09.06.2022
Item No.5
Ct. No.7
CHC
(disposed of)

C.O.1391 of 2022

Sri Mukta Lal Shaw

Vs.

**Blue Heaven Beauty Parlour rep. by Mr. Kuo
Shung Liao & ors.**

Mr. Debjit Mukherjee,
Mr. Prithwish Kr Basu,
Mrs. Susmita Chatterjee
...for the petitioner

A direction to secure expeditious disposal of eviction suit, being Ejectment Suit No.96 of 2013, pending before the learned Judge, 4th Bench, Small Causes Court, Calcutta, is the ultimate relief sought for in this case.

Mr. Mukherjee, learned advocate appearing for the landlord/plaintiff submits that the instant eviction suit has been instituted way back in 2013.

It is contended by Mr. Mukherjee that cross-examination of P.W.1 is being delayed by the defendants/opposite parties for adjournments being granted one after another.

It is also contended by Mr. Mukherjee that the fruits of the litigation may be made available to the petitioner during his life time, who is 79 years old at the moment having several ailments.

No other point is raised requiring address by this Court.

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 Judge, 4th Bench, Small Causes Court, Calcutta, in Ejectment Suit No.96 of 2013 is requested to ensure expeditious disposal of pending suit, referred hereinabove, after causing disposal of the interlocutory applications, if there be any pending, providing sufficient opportunity of hearing to either of the parties to this, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

While endeavouring such exercise, the court below must take into account the year of institution of this eviction suit together with the old age of the plaintiff/landlord, and the court below may proceed with the disposal of the eviction 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.

This would not, however prevent the court below to dispose of the pending interlocutory applications within eight (08) weeks from the date of communication of this order, so as to ensure expeditious disposal of the suit.

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

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.)