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C.O. 1810 of 2022

**Anil Kumar Patra @ Anil Patra & Ors
Vs
Kanai Lal Jana & Ors**

Mr. Kapil Chandra Sahoo, ... For the petitioners.

A direction to secure expeditious disposal of interlocutory application filed by the petitioners under Order 41 Rule 5 of the CPC in Title Appeal No. 21 of 2017 pending before learned Additional District Judge, Fast Track 2nd Court, Contai, is the ultimate relief sought for in this case.

No other point is raised requiring address by this Court.

The only contention expressed by the learned advocate for the petitioners is against the delay caused in the disposal of the said application under Order 41 Rule 5 of the CPC.

In view of the nature of the order proposed to be made in this case, no prior notice is considered to be necessary upon the opposite parties.

Service of notice of this application upon opposite parties stands dispensed with.

Accordingly, learned Additional District Judge, Fast Track 2nd Court, Contai, in Title Appeal No. 21 of 2017 is requested to ensure expeditious disposal of

said application either on the next scheduled date of the Court below or if for any reason whatsoever, the application could not be taken up, the same may be taken up for hearing within a fortnight thereafter, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournments, unless it is extremely unavoidable.

This would not, however, prevent the Court below to dispose of any other interlocutory applications, pending in connection with the referred appeal, one after another in accordance with law.

Petitioners are 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 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)