

23.08.2022
Item No.201ML
Ct. No.7
CHC
(disposed of)

C.O.1841 of 2022

**Smt. Manjurani Saha
Vs.
Nipul Kumar Basak**

Mrs. Shohini Chakraborty,
Mr. Arijit Sarkar
...for the petitioner

A direction to secure expeditious disposal of a Miscellaneous Appeal No.27 of 2019, pending before the learned Additional District Judge, Fast Track Court at Ranaghat, Nadia, is the ultimate relief sought for in this case.

Admittedly petitioner is the preemptor, and after the decision reached by the appellate court, and subsequently, affirmed by this Court, the petitioner wanted to recover possession upon inviting execution proceeding. The prayer for police assistance was allowed, against which an appeal was preferred being Misc. Appeal No.27 of 2019, which is pending for decision.

The only contention expressed by the petitioner is against the delay caused in the disposal of the appeal.

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 party stands dispensed with.

Accordingly, learned Additional District Judge, Fast Track Court at Ranaghat, Nadia, in Miscellaneous Appeal No.27 of 2019, is requested to ensure expeditious disposal of the pending appeal either on the schedule date (18th November, 2022), or if for any reasons whatsoever, the same could not be taken up, the appeal may be disposed of peremptorily within four weeks thereafter, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

With this observation/direction, the revisional application stands disposed of.

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

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.)

