

10.03.2022
Ct. 21
D/L 57
ab

C.O. 1695 of 2021

Sailendra Nath Sahoo & Ors.

-Vs-

Barada Kanto Sahoo & Ors.

Mr. Mukteswar Maity,

... for the petitioners

Mr. Mukteswar Maity, learned advocate appears for the petitioners.

The learned advocate for the petitioners files affidavit of service along with the postal receipts and track report showing due service on the opposite parties.

None appears from the side of the opposite parties.

The petitioners by filing the present application under Article 227 of the Constitution of India have prayed for expeditious disposal of all the pending interlocutory applications in connection with Title Suit (Partition Suit) No. 102 of 2009, subsequently renumbered as Title Suit No. 127 of 2018, as well as the suit itself, pending before the learned Civil Judge (Senior Division), Kakdwip, South 24 Parganas.

The learned advocate for the petitioners submits that the learned Court below has been granting unnecessary adjournments and due to which, there is a delay in disposal of the case and such delay is causing hardship to the petitioners.

Having regard to the nature of relief claimed by the petitioners, being a prayer for expeditious disposal of the interlocutory applications, it is not likely to cause any prejudice to the interest of the opposite parties.

The learned Civil Judge (Senior Division), Kakdwip, South 24 Parganas, is requested to dispose of all the pending interlocutory applications in connection with Title Suit (Partition Suit) No. 102 of 2009, subsequently renumbered as Title Suit No. 127 of 2018, as expeditiously as possible and in any event, within a period of three months from the date of communication of this order, without granting any adjournment whatsoever to any of the parties.

The learned Court below is further requested, after disposal of the interlocutory applications, to make an endeavour to dispose of the suit being Title Suit (Partition Suit) No. 102 of 2009, subsequently renumbered as Title Suit No. 127 of 2018, as expeditiously as possible and in any event, within a period of one and half years thereafter, without granting any adjournment whatsoever to any of the parties.

Accordingly, the revisional application being **C.O. 1695 of 2021** is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order duly downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all formalities.

(**Kesang Doma Bhutia, J.**)