

08.09.2022
S/L No.26
KS

C.O. 2052 of 2022

Sri Joydeb Ghorui
-Vs.-
Sri Jogindra Nath De @ Jogin De

Mr. Keshab Chandra Das
Mr. Biplab Adak
Ms. Aparajita Mondal
.....For the Petitioner

A direction to secure expeditious disposal of Title Suit No.13 of 2005 pending before the Learned Civil Judge (Junior Division), Additional Court, Hooghly is the ultimate relief sought for in this case.

Admittedly, petitioner is the defendant in a suit for eviction of trespasser.

No other point is raised requiring address by this Court.

Upon perusal of the photocopies of the orders of the Court below, it appears that the report of the Commissioner has not yet been submitted and some interlocutory applications are pending before the Court below.

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 party.

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

Accordingly Learned Civil Judge (Junior Division), Additional Court, Hooghly in Title Suit No.13 of 2013 is requested to ensure its expeditious collection of the Commissioner's report, followed by acceptance of the same, in accordance with law, providing sufficient opportunities of hearing to either of the parties to this case, but without granting unnecessary adjournment, unless it is extremely unavoidable.

This would not prevent the Court below to ensure logical conclusion of the suit after causing disposal of the interlocutory applications, if there be any pending preferably within a period of one year from the date of communication of this order.

Petitioner is 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 party and the opposite party.

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 as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)