

05.09.2022
Item No.3
Ct. No.7
CHC
(disposed of)

C.O.2083 of 2022

Kanhaiyalal Bharat Mal Dugar (HUF)
Vs.
Smt. Gopa Sen

Mr. Kartick Bhattacharya
...for the petitioner

A direction to secure expeditious disposal of an interlocutory application, filed by the defendant, on 19th April, 2021, praying for recalling of an order dated 23rd February, 2021, seeking leave to deposit the rent before the court below is the ultimate relief sought for in this case.

Admittedly, petitioner is the plaintiff, who is submitted to be a cancer patient.

It is also submitted by the petitioner that the fruits of the litigation, if there be any, may be made available to the petitioner during his life time.

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 Civil Judge (Junior Division), 2nd Additional Court, Alipore, South 24 Parganas, in

Title Suit No.904 of 2018, is requested to ensure expeditious disposal of the pending interlocutory application, referred hereinabove, either on the schedule date already fixed by the court below, or if for any reasons, whatsoever the same could not be taken up, the application may be disposed of peremptorily within three (03) weeks after reopening of Puja Vacation of this Court, 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 her learned advocate appearing 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.)