

18.01.2022
Ct. 21
D/L 54
ab

C.O. 1898 of 2021
(Via Video Conference)

Manabendra Nath Chakraborty
-Vs-
Nirmal Halder & Ors.

Mr. Sabyasachi Mukherjee,
Ms. Debarati Chowdhury,
Mr. Bibek Dey,
Mr. Mukesh Khanna,

... for the petitioner

Mr. Sabyasachi Mukherjee, learned advocate appears for the petitioner.

The learned advocate for the petitioner files affidavit of service along with postal receipts and track report. The track report shows that the items could not be delivered to the addressee due to insufficient address and the address could not be located.

Be that as it may, the petitioner by filing the present application under Section 227 of the Constitution of India has prayed for expeditious disposal of the Title Suit No. 133 of 1992 pending before the learned Civil Judge (Junior Division), 1st Court, Barasat. The learned Judge is unable to dispose of the case as certain exhibited documents have gone missing from the records and the learned Judge is not fixing the responsibility on the concerned staff in whose custody the records remained.

The learned advocate for the petitioner prays that necessary direction may be given to the learned Judge

in the Court below for expeditious disposal of the case at the earliest after tracing out the exhibited documents and after fixing responsibility against the concerned staff, who is responsible for such loss of documents.

The learned Civil Judge (Junior Division), 1st Court, Barasat is requested to trace out the exhibited documents within a month from date by asking the concerned dealing assistant to produce the same and taking necessary action against the dealing assistant and without giving any further time to the dealing assistant for production of the documents. Thereafter, the learned Judge in the Court below is requested to proceed with the suit expeditiously without granting any unnecessary adjournment to either of the parties.

With the above observations, the revisional application being **C.O. 1898 of 2021** is, thus, disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

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