

16 29.08.
AGM 2022
/
RKB
Ct
07

C.O. 2339 of 2022

**Biplab Laha & Anr.
Vs
Rambilash Shaw**

Mr. Bishajib Ghosh,
Mr. Abhishek Agarwal,
Mr. Sumitava Chakraborty
... For the petitioners.

A direction to secure expeditious disposal of suit being Ejectment Suit No. 460 of 2006, pending before the learned Civil Judge (Junior Division), 1st Additional Court, Alipore, is the ultimate relief sought for in this case.

No other point is raised requiring address by this Court.

Admittedly petitioners are the plaintiffs, who claims themselves to be senior citizens.

The only contention expressed by the learned advocate for the petitioners is against the delay caused in the disposal of suit, and urges the court submitting that the fruits of the litigation if there be any, may be reached to them during their life time.

The suit is found to have been posted at the stage of evidence, wherein cross-examination of PW 2 is continuing.

As per submission disclosed by the petitioners, there is no regular Presiding Officer posted at the moment.

That being the position, the revisional

application is disposed of directing the court below to ensure expeditious disposal of the pending suit, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournments, unless it is extremely unavoidable.

While endeavouring such exercise, this would not, however, prevent the learned court remaining in-charge of learned Civil Judge (Junior Division), 1st Additional Court, Alipore to take up this matter and dispose of the same subject to suitability and convenience, preferably within a period of four months from the date of communication of this order.

Learned advocate for the petitioners assure that all sorts of cooperation would be extended to the learned court remaining in-charge, so that the matter may be disposed of expeditiously.

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 parties and the opposite parties.

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 on usual undertakings.

(Subhasis Dasgupta, J)

