

13.12.2022
Item No.8
Ct. No.7
CHC
(disposed of)

C.O.2561 of 2022

**Manotosh Sen
Vs.
Shibsankar Sen & ors.**

Mr. Rajnarayan Datta,
Mr. Dilip Kumar Das
...for the petitioner

A direction to secure expeditious disposal of Misc. Case No.148 of 2013, pending before the learned Civil Judge (Senior Division), 1st Court, Barasat, North 24 Parganas, is the ultimate relief sought for in this case.

No other point is raised requiring address by this Court.

Drawing attention to the orders dated 29th July, 2013 passed in C.O.1503 of 2013, and dated 20th February, 2019 passed in C.O.688 of 2019, learned advocate appearing for the petitioner emphatically submits that in spite of several directions passed by this Court, the Misc. Case has not been concluded giving logical conclusion resulting not only in protraction of the Misc. Case, but also has caused undue hardship, and prejudice to the valuable rights of the petitioner.

When there has already been a direction passed by this Court, no further direction is called for.

The revisional application stands disposed of reposing trust and confidence upon the court below that the pending Misc. Case referred hereinabove may be disposed of within best possible opportunity of the court below, upon sensing the purport and message repeatedly conveyed in C.O.1503 of 2012 and C.O.688 of 2019.

Learned advocate for the petitioner assures this Court that to the best of ability of the petitioner, the available certified copy of the commission's report, if needed, may be produced in the interest of ensuring expeditious disposal of the Misc. Case and such assurance may be taken care of by the court below, while endeavouring expeditious disposal of the Misc. Case.

Petitioner is directed to make communication of this order to the learned court below as well as to the opposite parties and their learned advocate 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.)