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Ct. 18
12.05.2022

C.O. No. 2151 of 2021

Asit Kumar Halder
Vs.
Mihir Halder & Ors.

Mr. Sandip Das ... For the petitioner.

The defendant no. 1 in a suit for partition is the applicant of the present application under Section 24 of the Code of Civil Procedure.

The petitioner by the present application is seeking withdrawal of the said suit being Title Suit No. 228 of 2018 from the Court of learned Civil Judge, (Senior Division) at Diamond Harbour, District – 24 Parganas (South) and transfer of it to any Court competent to try and dispose of the said suit under the judgeship of learned District Judge, District – 24 Parganas (South) at Alipore on the ground of delay in disposal of the interlocutory applications.

Delay in disposal of the suit or applications thereto are no grounds for transfer of a suit under Section 24 of the Code.

C.O. 2151 of 2021 is disposed of with a request to the learned Trial Judge to expedite the disposal of the said pending interlocutory applications without entertaining any prayer of the parties for unnecessary adjournment.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)