

02.02.2022
Ct. 21
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C.O. 2152 of 2021
(Via Video Conference)

Subhadip Samanta
-Vs-
Bina Jailwal

Mr. Sagarmay Ghosh,
... for the petitioner

Mr. Sagarmay Ghosh, learned advocate appears for the petitioner.

Record shows that the notice of this application has not been served on the opposite party.

The petitioner by filing the present application under Article 227 of the Constitution of India has prayed for expeditious disposal of the application under Order 39 Rule 7 read with Section 151 of the Code of Civil Procedure for conducting local inspection to the suit schedule property as well as the application under Section 151 of the Code of Civil Procedure for executing/performing necessary repairing works to the suit schedule property in connection with Title Suit No. 357 of 2020, pending before the learned Civil Judge (Junior Division), 2nd Court at Sealdah, South 24 Parganas.

The learned advocate for the petitioner submits that the learned Court below has been granting unnecessary adjournments and due to which, there is a delay in disposal of the case and such delay is causing hardship to the petitioner.

Having regard to the nature of relief claimed by the petitioner, being a prayer for expeditious disposal of the interlocutory applications, I do not find any need to serve notice of the present application on the opposite party and it is not likely to cause any prejudice to the interest of the opposite party. Therefore, service of notice upon the opposite party is dispensed with.

The learned Civil Judge (Junior Division), 2nd Court at Sealdah, South 24 Parganas, is requested to dispose of the application under Order 39 Rule 7 read with Section 151 of the Code of Civil Procedure for conducting local inspection to the suit schedule property as well as the application under Section 151 of the Code of Civil Procedure for executing/performing necessary repairing works to the suit schedule property in connection with Title Suit No. 357 of 2020, as expeditiously as possible and in any event, within a period of two months from the date of communication of this order, without granting any adjournment whatsoever to any of the parties.

Accordingly, the revisional application being **C.O. 2152 of 2021** is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order duly downloaded from the official website of this Court.

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

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