

07.02.2022
Ct. 21
D/L 13
ab

C.O. 2323 of 2021
(Via Video Conference)

Sk. Mobarak Ali
-Vs-
Kalpana Rajak & Ors.

Mr. Tirthankar Mukherjee,
Ms. Madhurima Sarkar,
Mr. Munshi Ashiq Elahi,

... for the petitioner

Mr. Tirthankar Mukherjee, 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 Title Suit No. 9777 of 2014 with Title Suit No. 71 of 2014, pending before the learned Civil Judge (Junior Division), 1st Court, Hooghly at Chinsurah.

The learned advocate for the petitioner submits that the learned Advocate Commissioner, who has been appointed by the Court below to hold local inspection, has failed to submit his report even after lapse of two years and he prays that necessary direction may be given to the learned Advocate Commissioner to complete the commission work and to submit his report immediately.

Having regard to the nature of relief claimed by the petitioner, being a prayer for a direction upon the learned Advocate Commissioner, I do not find any need

to serve notice of the present application on the opposite parties and it is not likely to cause any prejudice to the interest of the opposite parties. Therefore, service of notice upon the opposite parties is dispensed with.

The learned Civil Judge (Junior Division), 1st Court, Hooghly at Chinsurah is requested to see that the learned Advocate Commissioner files his report within one month from the date of communication of this order.

Accordingly, the revisional application being **C.O. 2323 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.**)