

10.02.2023
Item No.9
Ct. No.7
CHC
(disposed of)

C.O. 112 of 2023

Sri Arup Sen & ors.

Vs.

**The Arch Bishop of Calcutta, represented by
Parish Priest of Sacred Heart Church Rev. Father
Francies Sunil Resorio & ors.**

Mr. Ayan Banerjee,
Ms. Debasree Dhamali

...for the petitioners

A direction to secure expeditious disposal of Title Appeal No.165 of 2010, pending before learned Additional District Judge, Fast Track Court, Chandernagore, Hooghly, is the ultimate relief sought for in this case.

Mr. Banerjee, learned advocate appearing for the petitioners upon advertng to order dated 13th April, 2021, passed in C.O.289 of 2021 submits that though there has been a direction to ensure expeditious disposal of the pending appeal within a period of four (04) weeks from the date of communication of this order without granting any unnecessary adjournment to either of the parties to this case, but till date the appeal has not been disposed of, and hearing of appeal is getting delayed due to long date being given by the first lower appellate court.

No other point is raised requiring address by this Court.

In view of the nature of order proposed to be made in this case, no prior notice is considered to be necessary.

Service upon the opposite parties stands dispensed with.

When there has already a direction passed in C.O.289 of 2021, no further direction is however justified.

The revisional application stands disposed of upon reposing trust and confidence upon the first lower appellate court vide Title Appeal No.165 of 2010, of learned Additional District Judge, Fast Track Court, Chandernagore, Hooghly, that the pending appeal will be disposed of with utmost expedition, upon sensing message already conveyed in C.O.289 of 2021, without granting any unnecessary adjournment.

The logical conclusion of the appeal may thus be endeavoured to be reached, preferably before the end of summer vacation of the court below for the year 2023.

Petitioners are 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.)