

23
RUP
Ct
237

27.02.
2023

C.O. 549 of 2023

**Smt. Gopa Dalai
Vs
Sri Aswini Pradhan & Anr.**

Ms. Anindita Auddy (Das)
Ms. Ananya Mondal.

... For the petitioner.

This is an application under Article 227 of the Constitution of India filed for expeditious hearing of the suit bearing Title Suit No. 30015 of 2019.

From the record and all certified copy of the orders, I find that petitioner/defendant was allowed time to file written objection and written statement, but that was not complied with by the defendant/petitioner.

Admittedly on 16th February, 2022 defendant/petitioner was directed to filed show cause, but unfortunately no show cause was filed on behalf of the defendant and suit was fixed for *ex parte* hearing.

At this stage, defendant/petitioner cannot approach this court with a prayer for expeditious disposal of the suit. This suit is not being contested by defendant/petitioner.

In the aforesaid view of the matter, I find the application under Article 227 of the Constitution of India is devoid of merit.

With the aforesaid observation the revisional application being C.O. 549 of 2023 stands dismissed.

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Bibhas Ranjan De, J.)