

1.9.2023
36
Ct. no. 652
sb

C.O. 1054 of 2016

Fajar Ali Mondal & ors.
Vs.
The State of West Bengal & ors.

Mr. D.K. Adhikari
Mr. Debdip Adhikari ...for the petitioners

Mr. Adhikari, learned counsel appearing on behalf of the petitioners seeks for exemption of serving copy of revisional application upon the opposite parties in terms of the order dated 8.6.2016 on the ground that he made very innocuous prayer for a direction upon the court below for expeditious disposal of Estate Acquisition Appeal being EA appeal no. 1 of 2012 pending before the court below.

Considering the prayer made in the application, the prayer for exemption of service of copy of the revisional application upon the opposite parties is exempted.

In the present application, the petitioner contended that Estate Acquisition Appeal being EA appeal no. 1 of 2012 has been preferred before the learned District Judge, Barasat which was subsequently transferred to the learned Additional District Judge, 1st Court, Barasat and since then, the aforesaid appeal is pending for more than a decade. Accordingly, the

petitioner has sought for a direction upon the court below for making expeditious disposal of the said appeal.

Considering the nature of the prayer which is very innocuous and that if an order in terms of the prayer made in the petition is allowed, it will not cause prejudice to either of the parties, and that the prayer is justified in view of long pendency of the Appeal, the prayer made by the petitioner is allowed.

C.O. 1054 of 2016 is accordingly, disposed of with a direction upon the learned Additional District Judge, 1st Court, Barasat, North 24 parganas to make every endeavour to dispose of the pending appeal being Estate Acquisition Appeal, being EA appeal no. 1 of 2012 within a period of three months from the date of communication of the order.

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

(Ajoy Kumar Mukherjee, J.)