

06.06.2023  
Sl. No.25(DL)  
srm

**C.O. No. 1240 of 2023**

**Raja Das**

**Versus**

**Dhananjoy Saha**

Mr. Tarak Nath Halder

...for the Petitioner.

The petitioner is the plaintiff in Ejectment Suit No.60 of 2008. The suit has been pending before the learned Civil Judge (Junior Division), 2<sup>nd</sup> Court at Sealdah, District-South 24-Parganas.

The petitioner submits that the cross-examination was concluded sometime in 2015 on the basis of an order of this Court dated October 1, 2015 passed in C.O. No.3030 of 2015. It is further submitted that the learned coordinate Bench of this Court requested the learned trial Judge to see that the cross-examination of the first witness of the plaintiff was completed on a given date and make an endeavour to dispose of the suit as expeditiously as possible, without granting unnecessary adjournments to either of the parties and preferably within six months therefrom.

The petitioner submits that the evidence of the parties have been adduced and the suit is now at the stage of

arguments. It appears to the Court that although in 2015 an order was passed by this Court requesting the learned trial Judge to conclude the suit preferably within six months from December 7, 2015, the suit is still pending and arguments are going on. It appears that several adjournments have been given on the prayer of the defendant.

This Court is not inclined to go into the merits of the suit. The Court is also not making any observation on the merits of the contentions of the petitioner. However, records indicate that the suit has dragged for a long time and hence justice would be sub-served if the learned Civil Judge (Junior Division), 2<sup>nd</sup> Court at Sealdah, is directed to conclude the Ejectment Suit No.60 of 2008 mandatorily within September 30, 2023. No unnecessary adjournments shall be given to the parties. This is an innocuous order for disposal of the suit which parties are litigating since 2008. This Court is of the view that the order for expeditious disposal of the suit would be beneficial to both the parties and no useful purpose will be served by issuing notice upon the opposite party.

A copy of the revisional application along with a server copy of this order be served upon the opposite party within a week from date.

The revisional application is disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**