

06.06.2023  
Sl. No.46(DL)  
srm

**C.O. No. 1367 of 2023**

**Deb Narain Panday**

**Versus**

**Hamed Hossain**

Mr. Vinay Kumar Purohit

...for the Petitioner.

The petitioner prays for expeditious disposal of Ejectment Suit No.106 of 2020 pending before the learned Judge, 2<sup>nd</sup> Bench, Small Causes Court at Calcutta. It appears that the suit is at the stage of cross-examination of the PW1. The cross-examination of the PW2 has been completed and the PW2 has been discharged.

It appears from the record that the petitioner is 92 years old and he prays that the suit be expedited taking into consideration his old age and also upon noting the diligence with which he had participated in the suit.

Having considered the age of the petitioner and having considered the stage of the suit, this Court is of the view that justice will be sub-served if the evidence is completed within a month from the next date fixed and thereafter the suit is disposed of within the following six months.

As the prayer is innocuous, the Court is of the view that no prejudice will be caused to the opposite party if the prayer for expeditious disposal of the suit is allowed.

It is made clear that the Court has neither gone into the merits of the suit nor into the merits of the claims of the petitioner, in the said suit.

The petitioner is directed to serve a copy of the revisional application along with a server copy of this order upon the opposite party within a week from date.

Accordingly, the revisional application is disposed of.

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

The learned court below shall proceed on the basis of the service copy of this order.

**(Shampa Sarkar, J.)**