

09.06.2023
Court No. 19
Item No.27
CP

C.O. 1732 of 2023

M/s. Birds Jute and Exports Limited
Vs.
Anokhi Manufacturing Products Pvt. Ltd. & anr.

Mr. Supratim Dhar
Mr. Saptarshi Mukherjee
Mr. T. Nandi

....for the petitioner.

It appears that Title Appeal No. 29 of 1996 had been pending before the learned Additional District Judge, Fast Track, 5th Court at Barasat, for a long time and recently has been transferred to the court of the learned Additional District Judge, Fast Track, 1st Court at Barasat for hearing. It is further submitted that the tin box containing the exhibits could not be traced out for a long time.

This court is of the view that the learned court below shall take immediate steps in order to ensure that the tin box is traced out and the appeal proceeds expeditiously. The appeal should be heard every week, till disposal of the same.

If the tin box is not available, then steps shall be taken by the learned court below to admit the photocopies/certified copies of the exhibits to be tendered by the parties, by following the provisions of the law of evidence.

The appeal shall be disposed of, not later than six months from the date of communication of this order.

This court has not gone into the merits of the appeal. This order is not an expression on the lis between the parties.

A report of compliance shall be furnished to the learned Registrar General, High Court at Calcutta.

Accordingly, the revisional application is disposed of. A copy of the revisional application shall be served upon the opposite parties along with a server copy of this order.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)