

22.03.2023
SL No.78
Court No. 654
Ali

IN THE HIGH COURT AT CALUTTA
Civil Revisional Jurisdiction
Appellate Side

C.O. 2605 of 2022

Sri Benarasi Prasad Gupta
Vs.
Board of Trustees, House of Prayer & Good News

Mr. Kajal Ray

.....for the petitioner.

This is an application under Article 227 of the Constitution of India for necessary direction for expeditious disposal of Title Suit No. 90 of 2005 pending before learned Civil Judge (Junior Division), 2nd Court at Sealdah.

The brief fact of the case is that the plaintiff-petitioner filed a suit for declaration and permanent injunction against the defendant-opposite party before the learned Civil Judge (Junior Division), 2nd Court at Sealdah being Title Suit No. 90 of 2005. The defendant-opposite party entered appearance on 3rd May, 2005 and filed its written statement on 21st November, 2005. However the suit is still pending for disposal. Hence this revisional application for appropriate order.

Mr. Kajal Ray, learned advocate for the plaintiff-petitioner submits that the defendant-opposite party has adopted dilatory tactics to frustrate the claim of the plaintiff and as such direction be passed for expeditious disposal of the suit.

It is found from the materials placed that the suit has been initiated in the year 2005. The defendant has entered appearance on 3rd May, 2005 and filed written statement on 21st November, 2005. However the suit has not yet been disposed of. Considering the age of the suit, it would be expedient to pass direction for early disposal of the suit.

Learned trial court is directed to dispose of the Title Suit being No. 90 of 2005 preferably within a period of one year from date of communication of this order without granting unnecessary adjournment to either of the parties.

Petitioner is directed to communicate this order to the learned trial court as well as defendant-opposite party and his learned advocates appearing in the below.

With the aforesaid observations, the revisional application being **C.O 2605 of 2022** stands disposed of.

All connected applications, if any, stand disposed of.

Interim order, if any, stand disposed of.

Urgent photostat copy of the order, if applied for, be given to the parties upon compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)