

13.02.2023
Item No.3
Ct. No.7
CHC
(disposed of)

C.O. 3127 of 2022

Smt. Shanti Rani Panda & anr.

Vs.

Sri Harihar Panda & ors.

Mr. Balailal Sahoo,
Mr. Chandan Chakraborty
...for the petitioners

A direction to secure expeditious disposal of Title Suit No.120 of 2010, pending before the learned Civil Judge (Junior Division), 1st Court, at Contai, Purba Medinipur, is the ultimate relief sought for in this case.

As per submission disclosed by Mr. Sahoo, learned advocate appearing for the petitioners that the suit is getting delayed due to non examination of learned Investigation Commissioner, who submitted a report, pursuant to the objection being raised by the opposite parties/plaintiffs.

No other point is raised requiring address by this Court.

In view of the nature of order proposed to be made in this case, no prior notice is considered to be necessary.

Service upon the opposite parties stands dispensed with.

Accordingly, learned Civil Judge (Junior Division), 1st Court, at Contai, Purba Medinipur, in Title Suit No.120 of 2010, is requested to ensure expeditious examination of the learned Investigation Commissioner, who submitted his report on the prayer proposed by the opposite parties/plaintiffs, providing a chance to controvert the evidence of the ld. Commissioner by the petitioners in accordance with law, subject to the suitability and convenience of the court below, but without granting any unnecessary adjournment, preferably within twelve (12) weeks from the date of communication of the order to the court below.

The Commission's report may be considered upon collection of the evidence of the Investigation Commissioner, as mentioned hereinabove in accordance with law.

The logical conclusion of the suit thereafter may be endeavoured to be reached with utmost expedition bearing in mind the year of institution of the suit.

With this observation/direction, the revisional application stands disposed of.

Petitioners are directed to make communication of this order to the learned court below as well as to the

opposite parties and their learned advocate in the court below.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)