

12 08.02.
AG 2023
M
/
RKB
Ct
07

C.O. 3531 of 2022

**Ruma Dey
Vs
Sri Raja Dutta**

Mr. Siva Prasad Ghosh,

... For the petitioner.

A direction to secure expeditious disposal of Title Suit No. 267 of 2008 pending before the learned Civil Judge (Senior Division), 1st Court, Barasat, is the ultimate relief sought for in this case.

The only contention expressed by the learned advocate for the petitioner that even after submission of learned Partition Commissioner's Report four years back, the same could not be accepted by the Court below, and as a result of which there could not be any end of the litigation pertaining to the partition suit.

No other point is raised requiring address by this Court.

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

Service upon the opposite party is thus dispensed with.

Accordingly, learned Civil Judge (Senior Division), 1st Court, Barasat, in Title Suit No. 267 of 2008 is requested to ensure expeditious disposal of

the referred suit upon accepting the learned Commissioner's Report in accordance with law, subject to the suitability and convenience of the court below, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournment, unless it extremely unavoidable, preferably within a period of twelve weeks from the date of communication of this order.

This would not, however, prevent the Court below to take notice of the learned Partition Commissioner's Report already submitted. Mentioned hereinabove, and dispose of the same in accordance with law.

Petitioner is directed to make communication of this order to the learned court below as well as to the learned advocate appearing in the court below for the opposite party and the opposite party.

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

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Subhasis Dasgupta, J)