

24.1.2023
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Ct. no. 652
sb

C.O. 3670 of 2022

Pradip Kumar Mukherjee
Vs.
Ananta Kumar Chakraborty

Mr. Anupam Das Adhikari ...for the petitioner

Mr. Taraknath Halder
Mr. Saptarshi Kumar Mal for the opposite party

This is an application under Article 227 of the Constitution of India seeking expeditious disposal of the Title Suit no. 268 of 2013 pending before the court of learned Civil Judge (Senior Division), 2nd Court, Barasat, North 24 parganas.

The petitioners contended that the suit was filed in the year 2013 for specific performance of contract and in the said suit, the defendant has filed an application under Section 11 of the Code. The said application has not yet been disposed of and the suit is getting delayed day by day by. Accordingly, the petitioner has sought for a direction upon the court below for early disposal of the pending application as also the suit.

Since the prayer made by the petitioner is very innocuous and if it is heard and disposed of in terms of prayer, neither party will have a cause to prejudice, service of copy of the application and notice to the opposite party is hereby dispensed with.

In view of above, and considering the fact that the suit is pending since 2013, C.O. 3670 of 2022 is disposed of with a direction upon the learned Civil Judge (Senior Division), 2nd Court, Barasat, North 24 parganas to make every endeavour for expeditious disposal of the pending application(s) as well as the suit preferably within a period of one year from the date of communication of the order.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Ajoy Kumar Mukherjee, J.)