

25.1.2023
29
Ct. no. 652
sb

C.O. 3931 of 2022

**Sri Haradhan De & Anr.
Vs.
Smt. Shibani De & Ors.**

Mr. Mahendra Kr. Gupta
Mr. Dilip Kr. Saila ...for the petitioners

This is an application under Article 227 of the Constitution of India seeking expeditious disposal of the Title Suit no. 44 of 2016 along with all other applications pending before the court of learned Civil Judge (Junior Division), 1st Court, Chandannagar, Hooghly.

The petitioners state that after 22.12.2017, several dates have been fixed for final report by the commissioner but till date, no investigation report has been submitted and for which the final hearing of the suit gets delayed year after year. Accordingly, the petitioner has prayed for a direction upon the court below to dispose of the aforesaid suit expeditiously.

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.

Considering the facts and circumstances of the case and that the case is pending since long on the

ground of submission of Commissioner's report, learned court below is directed to make every endeavour so that the process of commission work and submission of report either by the present commissioner or if required by some other replaced commission be completed preferably within a period of three months from the date of communication of the order and also to make every endeavour for expeditious disposal of the suit, preferably within a period of one year from the date of communication of the order, without granting any unnecessary adjournment to either of the parties.

Accordingly, C.O. 3931 of 2022 is disposed of.

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.)