

14.12.2023
Sl. No. 19
Court No.2
Sandip

**In the Calcutta High Court
Circuit Bench at Jalpaiguri
Appellate Side**

C.O. 153 of 2023

Gopal Chandra Basak
vs.
Shyam Shankar Rakshit (Kalu)

Mr. Debajit Kundu ... for the petitioner

Mr. Sanjay Mazumdar,
Ms. Sukanya Adhikary ... for the opposite party.

Affidavit-of-service filed on behalf of the petitioner
be kept with the record.

The plaintiff in a suit for ejectment under the
West Bengal Premises Tenancy Act, 1997 is the
petitioner of the instant revisional application under
Article 227 of the Constitution of India.

The suit since is pending from 2018, the
petitioner by the present application is praying for a
direction upon the learned Trial Judge for expeditious
disposal of it.

From the records, when it came to the notice of
this Court that two documents exhibited at the
instance of the plaintiff are missing, a report was called
for from the Court of the learned Civil Judge (Junior
Division) at Siliguri, where the said suit is pending.

The learned Registrar of this Circuit Bench places
the said report before me.

The report suggests that till date, those missing
exhibits are not traceable. It is really a disturbing
situation, however the learned Trial Judge is directed

to take immediate steps for re-construction of those exhibits and to proceed with the disposal of the suit, the parties are directed to co-operate in reconstructing the said missing exhibits.

In view of its nature, the suit demands expeditious disposal, the learned Trial Judge therefore is directed to bring the said suit to its logical conclusion positively within a period of six months from the date of communication of this order and in doing so, shall not grant any unnecessary adjournment to either of the parties.

The learned Trial Judge after expiry of the period as fixed above shall submit a compliance report before the next available Circuit Bench.

C.O. 153 of 2023 is disposed of with the above terms without any order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)