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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Extra Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

ALP/1/2023

SHAONI GHOSH (NEE DAS)
Versus
DEEPANWITA ROY CHOWDHURY AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 11th August, 2023.

Appearance :
Mr. S. K. Das, Adv.
Mr. T. K. Sen, Adv.
Mr. Arun Dutta, Adv.
... for the petitioner.

Mr. Naba Kumar Das, Adv.
Ms. Diana Ghosh Dastidar, Adv.
... for respondent no.4.

Mr. Triptimoy Talukder, Adv.
Mr. Abhiraj Tarafdar, Adv.
... for respondent nos. 1&2

The Court: This matter was mentioned by the learned Advocate for the applicant in order to apprise the Court about the delay which occurred because the defendant nos. 1 and 2 did not appear in the suit and the learned Presiding Officer had fixed a long date.

However, Mr. Talukder, learned Advocate who appears on behalf of defendant nos. 1 and 2, is present in court. He submits that the said defendants are interested to contest the suit and service of the Rule may be dispensed with. Mr. Naba Kumar Das is appearing on behalf of defendant no.4. It has been informed that the defendant no.3 has not appeared in the suit at any stage. It appears that the next date has been

fixed on September 4, 2023. Mr. Talukder and Mr. Das undertake that their clients will be represented before the learned Trial Judge on the next date fixed and no unnecessary adjournments shall be prayed for by any of the parties.

Thus, this Court is of the view that the learned Judge ought to dispose of the suit as directed by this Court along with all pending applications within a period of six months from the next date fixed. The suit has been pending since long. The learned Court must ensure that this mandatory direction is complied with. Report as to the disposal of the suit shall be filed before the learned Registrar, Original Side, High Court, Calcutta, for perusal of this court.

This application is accordingly disposed of.

The applicant is at liberty to communicate this order to the defendant no.3 by registered post. It is made clear that unnecessary adjournments shall not be given to any of the parties.

Parties to act on the basis of the server of this order.

(SHAMPA SARKAR, J.)