

OD-4

ALP/4/2023

IN THE HIGH COURT AT CALCUTTA  
ORIGINAL SIDE

DR. VIJAY KUMAR KEJRIWAL

-Versus-

SMT. SUDHA AGARWAL AND ORS.

BEFORE

The Hon'ble Justice SHAMPA SARKAR

Date: 7<sup>th</sup> July, 2023

APPEARANCE:

*Mr. Sukrit Mukherjee, Adv.*

*Mr. Ovik Sengupta, Adv.*

*Mr. Arindam Paul, Adv.*

*...for the petitioner.*

*Mr. Aniruddha Mitra, Adv.*

*Mr. Kaushik Banerjee, Adv.*

*Ms. Sudipta Paul, Adv.*

*...for the respondent No.2.*

*Mr. Shuvasish Sengupta, Adv.*

*Mr. Soumyajit Mishra, Adv.*

*...for the respondent no.3.*

*Mr. Supratim Laha, Adv.*

*Mr. Sabyasachi Sen, Adv.*

*...for the respondent no.4.*

The Court: As the contesting respondents are present before this Court, formal issuance of rule is dispensed with. The petitioner/plaintiff in the suit has already approached the learned District Judge, Alipore for transfer of Title Suit No.16 of 2018 to a Court of competent jurisdiction in view of the fact that the learned Civil Judge, Sr. Division, 5<sup>th</sup> Court

at Alipore is on transfer and, further on the ground that for the past five months there has been no progress in the suit at all. It is further submitted that the evidence is on the verge of conclusion and the suit may be disposed of expeditiously.

Considering the submission of the learned advocate for the petitioner and the age of the suit, this Court deems it fit to direct the learned District Judge, Alipore to assign the suit to a competent court having jurisdiction, in order to ensure that the suit is disposed of within the next five months, mandatorily. It is worth mentioning that an earlier order had already been passed by this Court directing the learned trial Judge to dispose of the suit within six months from the order dated January 13, 2023. This order shall not cause prejudice to any of the parties as expeditious disposal of any litigation, enures to the benefit of all.

ALP/4/2023 accordingly stands disposed of.

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

**(SHAMPA SARKAR, J.)**