

S/L 38
24.05.2024
Court. No. 551
Suvayan

CO 828 of 2020

**Sri Malay Kumar Kayal
Vs.
Sri Manas Kumar Kayal & Ors.**

Mr. Shouvik Naskar

...for the petitioner.

Mr. Raju Das

...for the respondent nos. 1 and 8.

1. The affidavit-of-service as filed on behalf of the petitioner and the receipted copy of notice dated 16.05.2024 are taken on record.
2. Liberty is given to Mr. Raju Das, learned Advocate for the respondent No. 1, Sri Manas Kumar Kayal and the respondent No. 8, Sri Koushik Kayal to file his vocalatnama in the department positively in course of this day.
3. At the time of hearing, it is submitted on behalf of the petitioner that the petitioner being the plaintiff has come before this Court for direction upon the learned Trial Court, i.e., learned Civil Judge, Senior Division, Diamond Harbour, District – South 24 Parganas to expedite the hearing of Title Suit No. 265 of 2017 as pending before the said Court.
4. It is submitted at the Bar that service upon the defendant Nos. 2 to 7 are yet to be completed before the learned Trial Court.
5. In view of such, learned Civil Judge, Senior Division, Diamond Harbour, District – South 24

Parganas is hereby directed to take appropriate steps by directing the plaintiff of Title Suit No. 265 of 2017 to take appropriate measure for causing service of summons upon the said defendant Nos. 2 to 7 if necessary by way of paper publication and after being satisfied with regard to such service upon the defendant Nos. 2 to 7, the said Trial Court is hereby directed to expedite the hearing of the suit and shall make an endeavor to dispose of Title Suit No. 265 of 2017 positively within a year from the date of communication of this order.

6. Accordingly, the revisional application being CO 828 of 2020 is disposed of.
7. Both the parties as well as the learned Trial Court are directed to act on the server copy of this order.
8. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)