

10.07.2024
Item No.46,ML
Ct.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 1598 of 2024

**Sri Manabendra Nath Sardar
-Vs-
Pintu Mondal & Ors.**

Mr. Sounak Bhattacharya,
Mr. Sounak Mondal,
Mr. Abhirup Haldar.
...for the petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite parties, as such, service of notice of the present application upon the said opposite parties is dispensed with.

The plaintiff in a suit for declaration and recovery of possession being Title Suit No. 36 of 2009 pending before the 1st Court of the learned Civil Judge (Junior division) at Baruipur, District : 24-Parganas (South) is the petitioner of the instant application under Article 227 of the Constitution of India.

The plaintiff is complaining delay in disposal of the said suit and is praying for a direction for expeditious disposal of it.

It appears from record that an application purportedly under Section 33 of the Indian Evidence Act, 1872 is pending since 2022.

In view of the nature of the suit and the relief claimed therein the plaintiff can legitimately expect logical conclusion of the said suit within a reasonable time.

Pendency of an interlocutory application would certainly arrest the progress of the suit, therefore, the learned Trial Judge is requested to dispose of the said application as expeditiously possible and after disposal of the said application shall proceed to dispose of the suit within a reasonable time and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 1598 of 2024 is disposed of accordingly without any order as to costs.

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

(Biswajit Basu, J.)