

10.07.2024
Item No.47,ML
Ct.19
A.J.

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

C.O. 1599 of 2024

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

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 eviction of licensee being Title Suit No. 37 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 on the death of the sole defendant his widow, son and daughter were substituted but they choose not to appear,

in consequence, the suit is proceeding ex parte against them.

It further appears from the record that evidence-in-chief of the plaintiff has already been concluded way back in the year 2010. The suit since is in the ex-parte board, there is no scope for cross-examination of the said witness. Under such circumstances, the learned Trial Judge is requested to dispose of the said suit as expeditiously as possible.

C.O. 1599 of 2024 is thus disposed of 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.)