

13.12.2024
Sl. No.24(DL)
Court No. 36
Cp

CPAN No. 896 of 2024

In

C.O. No. 3733 of 2023

Sri Sumit De

Versus

Sri Protayi Chowdhury

Mr. Bidhayak Lahiri

Ms. Bhaswati Lahiri

...for the Applicant.

Affidavit of service is taken on record.

The contempt application is not maintainable.

It is alleged that despite a mandatory direction upon the learned Civil Judge (Senior Division), 2nd Court at Barasat to dispose of certain applications in respect of Title Suit No.262 of 2013, the same are still pending.

Although this Court recorded and noticed that several orders of expeditious disposal were passed and the order of the Court was mandatory in nature even then, inability of a judicial officer to dispose of certain proceedings cannot be a contempt.

The contempt proceeding is dropped.

The contempt application is disposed of.

The petitioner is at liberty to approach the concerned learned Judge with a request for early disposal or may file another application for expeditious disposal of the proceedings as he had done before.

(Shampa Sarkar, J.)