

S/L 34
17.9.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 1868 of 2024

Sudip Mitra
Vs.
Nirmal Kumar Agarwal & Ors.

Mr. Souwick Mitra
Mr. Nirayan Roy

...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 party, as such, service of notice of the present application upon the said opposite party is dispensed with.

The plaintiff in a suit for declaration, recovery of possession is the petitioner of the instant application under Article 227 of the Constitution of India. The said suit being Title Suit No. 1628 of 2018 is pending before the learned Judge, 12th Bench, City Civil Court at Calcutta.

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

It appears from the record that an application under Section 10 of the Code of Civil Procedure filed by the defendant is still pending.

The learned advocate for the petitioner submits that the said application has become infructuous.

Be that as it may, it is disturbing to note that in a suit pending since 2018, the issues have not yet been framed, the learned Trial Judge is therefore requested to frame the said issues immediately and in doing so, shall not entertain the prayer of the parties for any unnecessary adjournment.

C.O. 1868 of 2024 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Biswajit Basu, J.)