

19.09.2024
Item No.49, DL
Ct.19
A.J.

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

C.O. 1878 of 2024

Smt. Puspo Dutta & Ors.

-Vs-

Smt. Sikha Dutta & Ors.

Mr. Gopal Chandra Ghosh,
Mr. Rajkrishna Mondal.
.....for the petitioners.

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 defendants in a suit for declaration are the petitioners of the instant application under Article 227 of the Constitution of India.

The said suit being Title Suit No. 186 of 2013 is pending before the 2nd Court of the learned Civil Judge (Junior Division) at Barasat, District : 24-Parganas (North).

Mr. Ghosh, learned senior Advocate for the petitioners submits that though the suit has reached to the stage of witness action but due to the pendency of an application for recalling of the P.W.2 since December 12, 2019, the further progress of the suit has been arrested, he prays that a direction may be passed for expeditious disposal of the said application and the suit.

An application for recalling of a witness should not have been kept pending for such a long time, therefore, the learned Trial Judge is requested to dispose of the said

application of as expeditiously as possible in accordance with law, if it is otherwise ready for such disposal and in doing so, shall not grant any unnecessary adjournment to either of the parties .

The learned Trial Judge after disposal of the said application and other pending applications, if there be any, shall proceed to bring the suit to its logical conclusion within a reasonable time.

C.O. 1878 of 2024 is disposed of with the above terms 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.)