

*In The High Court At Calcutta
Civil Revisional Jurisdiction
(Appellate Side)*

C.O. 1916 of 2024

Prasanta Kumar Jana & Anr.

Vs.

Saroj Kumar Maity & Ors.

Mr. Prasanta Bishal

... For the petitioners.

Affidavit-of-service filed on behalf of the petitioners be kept with the record.

In spite of service none appears on behalf of the opposite parties.

The plaintiffs in a suit for declaration and injunction being Title Suit No. 75 of 2016 pending before the 1st Court of learned Civil Judge, (Junior Division), Contai, District – Purba Medinipur are the petitioners of the instant application under Article 227 of the Constitution of India.

The petitioners are complaining that the defendants are delaying the disposal of the said suit; they are praying a direction for expeditious disposal of it.

The third witness for the defendants was cross-examined and discharged on April 23, 2024.

June 05, 2024 was the next date fixed for recording evidence of further witnesses for the defendants.

On the said date, the defendant no.1 by an application has disclosed the names of four more witnesses, the plaintiffs objected to the said application on the ground that the proposed witnesses are all dead, and have filed copy of the death certificates of those proposed witnesses.

Subject to scrutiny regarding the veracity of the death certificates of the said proposed witnesses, the learned Trial Judge on the next date fixed shall close the evidence of the defendants and shall proceed to dispose of the suit expeditiously, in accordance with law, and in doing so, shall not grant any unnecessary adjournment to the parties.

C.O. 1916 of 2024 is thus disposed of with the above terms without any order as to costs.

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

(Biswajit Basu, J.)