

19.06.2024
Item No.07, DL
Ct.19
A.J.

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

C.O. 2035 of 2024

Samim Molla

-Vs-

M/s. Jagdish Caterer Private Limited

Mr. Muhamnmad Jawwad,
Md. Nauroz Rahber.

.....for the petitioner.

Mr. Surya Prasad Chattopadhyay,
Mr. Shib Shankar Das,
Mr. Arjun Samanta,
Ms. T. Mukherjee.

.....for the opposite party.

The instant application under Article 227 of the Constitution of India is at the instance of the defendant in a suit for Ejectment and is directed against Order No.122 dated March 12, 2024 passed by the 2nd Court of the learned Civil Judge (Junior Division) at Alipore, District : 24-Parganas (South) in the said suit being Ejectment Suit No. 339 of 2009.

The learned Trial Judge by the order impugned, after rejecting the prayer of the petitioner for adjournment, had proceed to record the evidence of P.W.1 and has fixed another date for recording further evidence-in-chief of the said witness.

Challenge to the said order is aimed to delay the disposal of the suit, C.O. 2035 of 2024 is therefore dismissed without any order as to costs.

The suit is pending since 2009, considering the age of the suit, the plaintiff is directed to conclude the evidence-in-chief of the P.W.1 on the next date fixed and the defendant shall also conclude the cross-examination of the said witness on the said date, in default, the evidence of the said witness shall be closed.

The learned Trial Judge is requested to expedite the disposal of the said suit and in doing so, shall not allow the prayer of the parties for any unnecessary adjournment.

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.)