

13.02.2024

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Ct. No.7

**C.O. 3435 of 2023
Board of Trustees for the
Port of Syama Prasad Mookerjee
Port, Kolkata
Versus
Howrah Flour Mills**

Mr. Snehasis Sen

Mr. Ashwini Nair.....for the petitioner

1. This is an application under Article 227 of the Constitution of India praying for expeditious disposal of a miscellaneous appeal under the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, which is pending before the learned Additional District Judge, Fast Track, 3rd Court at Howrah.
2. Record reveals that a coordinate Bench by an order dated 19th April, 2022 in C.O. 845 of 2022 directed expeditious disposal of the Miscellaneous Appeal No. 51 of 2008 without granting any unnecessary adjournment to either of the parties.
3. Record reveals that 23rd September, 2022 was fixed for arguments.
4. Learned advocate appearing for the petitioner submits that the appeal has not yet been disposed of and the opposite party herein is delaying the disposal of the miscellaneous appeal. He further submits that the next

date fixed for hearing of the appeal is in the month of March, 2024.

5. In view thereof, C.O. 3435 of 2023 is disposed of by requesting the learned Additional District Judge, Fast Track 3rd Court, Howrah to dispose of Miscellaneous Appeal No. 51 of 2008 as expeditiously as possible but preferably by the end of June 24, 2024 without granting any unnecessary adjournment to either of the parties.
6. There shall be, however, no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)