

26.02.2024

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Ct. No.7

C.O. 3443 of 2023
M/s. Welcome Construction
Vs.
Sri Pabitra Swarnakar & Ors.

Mr. Gopal Chandra Ghosh
Mr. R. K. Mondal

.....for the petitioner

1. The petitioner has challenged the order dated 23rd August, 2023 passed by the learned Small Causes Court at Sealdah in Title Suit No.108 of 2015.
2. By the order impugned, the application under Section 151 of the Code of Civil Procedure for repairing of the premises stood rejected.
3. It appears from the order sheet that 26th September, 2023 was fixed for hearing of arguments.
4. In view thereof, this Court is of the considered view that the ends of justice would be sub-served if a direction is passed upon the learned Court below to dispose of the suit expeditiously.
5. Mr. Ghosh, learned Advocate appearing for the petitioner submits that evidence has already been concluded and tomorrow i.e. 27th February, 2024 has been fixed for argument of the plaintiff.
6. In view thereof, the learned Judge, Small Causes Court at Sealdah is requested to dispose of Title Suit No.108

of 2015 as expeditiously as possible without granting any unnecessary adjournment to either of the parties on or before the end of March, 2024.

7. In course of hearing of this revisional application, Mr. Ghosh submits that some adverse findings with regard to possession of the petitioner has been recorded by the learned Trial Judge in the order impugned. Since the order impugned is an interlocutory order, it is observed that all findings made therein are tentative and the learned Court below shall not be swayed with such observations at the time of deciding the suit finally.
8. With the above directions/observations, C.O. 3443 of 2023 stands disposed of.
9. There shall be no order as to costs.
10. 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.)