

30.12.2024

Sl. No.44

Court No.3
PB/BM

C.O. 3605 of 2024

Jamat Sekh & Ors.

vs.

Golam Mahbub & Ors.

Mr. Sarthak Burman

... for the petitioners

1. The present civil revision is moved praying for expeditious disposal of the title suit.

2. Learned counsel for the petitioner has placed order dated 02.08.2023 wherein it appears that the matter is being fixed for argument and also for filing fresh written statement.

3. The said order is reproduced hereinbelow :

“Order No.38
Dated 02.8.2023

Today is fixed for argument and for filing fresh WS.

Plaintiff and defendant files Hazira. Fresh WS has not been filed.

Argument heard in full. Case is adjourned.

Fix 17.8.23 for judgement. Defendant is directed to file fresh WS in the meantime.

D/C by me,

Civil Judge(Sr. Division)
Kandi, Murshidabad

Civil Judge(Sr. Division)
Kandi, Murshidabad”

4. It appears that the suit has been fixed for judgement on 17.08.2023.

5. The court in spite of fixing the date for judgement has granted liberty to the defendant to file fresh written statement in the meantime.

6. The said order is clearly not in accordance with law and as such liberty granted to the defendant to file written statement is set aside.

7. The court concerned is directed to deliver judgement in the title suit within the period stipulated as per the Code of Civil Procedure on and from the date of this order.

8. Considering the nature of order concerned, the said order along with order of this court be placed before the learned District Judge, Murshidabad for guiding the officer concerned accordingly.

9. C.O. 3605 of 2024 stands disposed of.

10. Urgent Xerox certified copies of this order, if applied for, shall be supplied to the learned counsel for the parties as expeditiously as possible, in compliance of usual formalities.

(Shampa Dutt (Paul), J.)