

28.07.2025
Item No.19
BR

CO 2026 of 2025
Abdur Rashid Gazi
-vs-
Abdul Halim Laskar .

Mr. Shahan Shah,
 Mr. Soumen Barman,
 Mr. Umenun Khan,
 Mr. Md. Shahjahan
 ...for the petitioner

The civil revision has been preferred praying for expeditious disposal of the Title Suit No. 101 of 2017(old Title Suit No. 25 of 2007 (Abdul Halim Laskar –vs- Abdur Rashid Gazi) pending before learned Civil Judge (Senior Division), 2nd Court, Baruipur, South Parganas.

Considering the nature of relief prayed for service in this case is dispensed with.

On hearing the parties and on perusal of the materials on record, it appears that a Title Suit is pending before the learned Trial Court since 2017.

It is submitted by the learned counsel appearing for the petitioner that the matter is pending for last 8 years and the petitioner/plaintiff is severely prejudiced.

Considering the facts and circumstances of the case it appears that prima facie the suit is a suit for specific performance of contract.

The suit has been filed by the opposite parties herein but there is no progress in disposal of the said suit since filing (2017).

The petitioner herein is the defendant in the suit. It is their contention that the plaintiff is intentionally delaying the disposal of the suit.

Accordingly, the civil revision is disposed of with the direction that the suit being a suit of specific performance of contract, the learned trial Court shall make all endeavour to dispose of the suit preferably within one year from the date of communication of this order.

CO 2026 of 2025 stands disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)