

29.07.2025
rc/ct.no.06
Item No.M/L-772

C.O.No. 2347 of 2024
Sri Satadal Ballav
Versus
Tapan Nag & Ors.

Mr. Abdus Salam

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the plaintiff praying for a direction upon the learned trial Court to dispose of the Title Suit No. 17 of 2016 as expeditiously as possible.

Learned counsel for the petitioner submits that the learned trial Judge passed an order appointing the Commissioner. He submits that the Commissioner has held the commission work but no report has been filed by the Commissioner till date.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any notice upon the opposite party. However, the learned advocate-on-record of the petitioner shall be obliged to forward a copy of this application along with this order, upon the opposite party or upon the learned advocate representing the opposite party before the learned trial Court. From the order sheet appended to this application, this Court finds that the date was fixed for filing of the Commissioner's report. In the light of the submission made by the learned advocate for the petitioner C.O.No.

2347 of 2024 stands disposed of by requesting the learned Civil Judge, Junior Division, 2nd Court, Burdwan to take steps so that the Commissioner files its report positively on the next date and thereafter proceed with the hearing of the suit and make all endeavour to dispose of the same as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

There shall be, however, no order as to costs.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya,J)