

AD-13
Ct No.16
31.01.2025
TN

CO 2538 of 2024

Susama Das and others
Vs.
Prasanta Das and another

Mr. Saurav Chaudhuri

.... for the petitioners

1. In view of the nature of the order proposed to be passed, no prior service of notice on the opposite parties is deemed necessary.
2. Learned counsel for the petitioners submits that the plaintiffs/petitioners are senior citizens and, as such, want to see the end of their litigation soon. It is complained that the suit has been kept pending inordinately in the trial court.
3. Upon a perusal of the materials before me, however, I find that the suit has been instituted only in the year 2023 and, as such, the learned Trial Judge cannot be blamed in any manner for delay in hearing the suit.
4. Moreover, it is seen that applications, or at least an injunction application, is pending in connection with the suit. Unless the pending applications are disposed of, the learned Trial Judge would not be in a position to decide the suit.
5. Accordingly, CO 2538 of 2024 is disposed of, keeping in view the advanced age of the petitioners, by requesting the learned Civil Judge (Senior Division), Ninth Court (in charge) at Alipore, District: South 24

Parganas, or the regular Court, if sitting at the relevant juncture, to dispose of the pending applications in connection with Title Suit No. 671 of 2023 before the said court as expeditiously as possible, preferably within two months from the date of communication of this order to the said court.

6. It is expected that the learned Trial Judge, keeping in view the advanced years of the petitioners, shall expedite the hearing of the suit itself thereafter, as far as the business of the said court permits.
7. There will be no order as to costs.
8. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)