

Court No. 6
(265719)

05.08.2025
(AD 8)
(S. Banerjee)

CO 2738 of 2025

Bablu Das @ Ashish Kumar Das
Vs.
Manik Barman Roy @ Soutaga Barman Roy & Ors.

Mr. Prosenjit Mukherjee
Ms. Babita Pramanik

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the respondent in Title Appeal No. 4 of 2017 praying for a direction upon the learned Additional District Judge, 1st Court, Alipore to dispose of the said appeal expeditiously.

The petitioner filed a suit for declaration of title and permanent injunction and the learned trial judge by a judgment and decree dated November 21, 2016 passed a decree declaring the title of the petitioner and passed a decree of permanent injunction in favour of the petitioner herein.

The opposite parties preferred a title appeal being No. 4 of 2017 which is still pending.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any notice upon the opposite parties. 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 parties or upon the learned advocate representing them before the learned trial judge.

From the order-sheets appended to this application this court finds that September 27, 2025 has been fixed for hearing of the appeal.

In the light of the submission made by the learned advocate appearing for the petitioner, CO 2738 of 2025 stands of by requesting the learned Additional District Judge, 1st Court, Alipore to take up the hearing of the appeal on the next date fixed, i.e., on August 27, 2025, if the same is otherwise ready for hearing and to make an endeavour to dispose of the same as expeditiously as possible, preferably within a period of six months from the next date fixed, without granting any unnecessary adjournment to either of the parties.

This order has been passed taking note of the fact that the title appeal is pending from the year 2017.

(Hiranmay Bhattacharyya, J.)