

AD-12
Ct No.16
07.02.2025
(SSS)

CO 3273 of 2024

Sri Netai Das
Vs.
Sri Pradip Chowdhury and Anr.

Mr. Triptimoy Talukder,
Mr. Diptomoy Talukder,
Mr. Dibyendu Ghosh,
Mr. Abhiraj Tarafdar

....For the Petitioner.

1. In view of the nature of the proposed order, no prior service of notice on the Opposite Parties is deemed necessary.
2. A declaratory suit filed by the plaintiff/petitioner in the year 2019 is still pending. It transpires that long time was lost in deciding an application under Order XXVI Rule 9 of the Code of Civil Procedure, which was ultimately allowed, appointing a Commissioner. However, several dates have been fixed for filing of report by the Commissioner, without the Commissioner having filed such report as yet.
3. I find from the materials that there is sufficient reason to expect that the suit should be disposed of as expeditiously as possible.
4. Accordingly, CO 3273 of 2024 is disposed of with a request to the learned Civil Judge (Senior

Division) at Bangaon, District – North 24 Parganas to dispose of Title Suit No. 34 of 2019 pending before the said court as expeditiously as possible, positively within one year from the date of communication of this order to the said court. For such purpose, it will be open to the learned Civil Judge (Senior Division) to pass necessary directions on the Commissioner to expedite the filing of the Commissioner's report.

5. No order as to costs.

6. The parties and all concerned shall act on the server copy of this order without insisting upon prior production of any certified copy for the purpose of compliance.

(Sabyasachi Bhattacharyya, J.)