

D/L. 7.
February 28, 2025.
MNS.

C. O. No. 3727 of 2024

Manju Patra and another
Vs.
Santosh Kundu and others

Mr. Palash Mukherjee,
Ms. Sucheta Mitra,
Ms. Tanaya Adhikary

... for the petitioners.

1. In view of the innocuous nature of the order proposed to be passed, no prior service of notice on the opposite parties is deemed necessary.

2. The present application under Article 227 of the Constitution of India has been filed seeking expeditious hearing of an eviction suit of the year 2017.

3. It is submitted by learned counsel for the plaintiffs / petitioners that the suit was filed long back and thereafter written statement has also been filed. However, only in the year 2023, an application challenging the maintainability of the suit has been filed by the defendants, to protract the litigation.

4. Be that as it may, since the suit is pending for sufficiently long, C. O. No. 3727 of 2024 is disposed of by requesting the learned Civil Judge (Junior Division), Fifth Court at Howrah, District- Howrah, to

dispose of the maintainability application pending at the behest of the defendants in Title Suit No. 258 of 2017 pending before the said Court, positively within three weeks from the date of communication of this order to the said Court and thereafter to proceed with the hearing and the disposal of the suit.

5. It is expected that the suit shall be disposed of within an outer limit of one year from the date of communication of this order to the learned trial Judge.

6. There will be no order as to costs.

7. 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.)