

6.2.2025
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Ct. no. 237
sb

CO 3768 of 2024

Soumen Kumar Das
Vs.
Bharat Chandra Das

Sk. Md. Wasim Akram ...for the Petitioner

This is an application wherein the petitioner has prayed for expeditious disposal of Title Suit no. 526 of 2015 presently pending before the learned Civil Judge (Senior Division), Serampore, Hooghly.

Petitioner contended that the petitioner as plaintiff filed a partition suit against the co-sharer and the suit was decreed in preliminary form on 10th August, 2018. Thereafter, in the final decree proceeding, the partition commissioner was appointed on 19th December, 2019 and he has also conducted the commission work but he has not submitted any report nor the final decree proceeding has been expedited.

Since the prayer made by the petitioner is innocuous and if any order passed in terms of the prayer made in the petition, neither party will have a cause to prejudice, the service of copy of the

application or notice upon the opposite party is dispensed with.

Considering the facts and circumstances of the case and that the prayer made by the petitioner is justified, considering age of pendency of the suit, the present application being C.O. 3768 of 2024 is hereby disposed of with a direction upon the court below to make every endeavour for expeditious disposal of the final decree proceeding of said suit being Title Suit no. 526 of 2015 and to make his best effort to conclude the entire proceeding preferably within a period of six months from the date of communication of the order, without granting any unnecessary adjournment to anyone and also taking aid from order XVII of the Code.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)