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ORDER SHEET

ALP No. 14 of 2025
IN THE HIGH COURT AT CALCUTTA
Extra Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

AJAY AMAR SINHA & ANR.
-VS-
DEBAJYOTI MUKHRJEE & ANR.

BEFORE:

The Hon'ble JUSTICE SHAMPA DUTT (PAUL)

Date:13th November, 2025.

Appearance:

Mr. A. C. Kar, Adv.
Mr. Anirban Kar, Adv.
Mr. Munshi Ashiq Elahi, Adv.
Mr. Rohit Mahato, Adv.
.... for the Petitioners.

Mr. Debjit Mukherjee, Adv.
Mr. Sumitava Chakraborty, Adv.
Ms. Bratati Pramanick, Adv.
Ms. Priyanaka Jana, Adv.
...for the Respondents.

The Court:-The application has been preferred praying for transfer of Title Suit No.252 of 2022 (Ajay Amar Sinha & Anr. –Versus- Debajyoti Mukherjee & Anr.) pending before the Learned Court of Civil Judge (Senior Division) First Court at Barasat, District-North 24 Parganas to this Hon'ble Court for immediate hearing.

On hearing the learned Counsel for the parties and on perusal on the materials on record, it appears that the plaintiff/petitioner is aggrieved with the delay in completion of the Title Suit No.252 of 2022.

It appears that the suit for eviction and recovery of khas possession was initiated in the year 2022. Written statement has been filed and it is submitted

by the learned Counsel appearing for the defendant-opposite party herein that the same has been filed within the period permitted under the Rules.

Learned Counsel for the petitioner further submits that his application praying for non acceptance of written statement is pending consideration for the last two years and the petitioner is being severely prejudiced.

Considering the said fact and on hearing the learned Counsel for the parties, this Court at this stage finds that the petitioner has not been able to make out the case for transfer though the petitioner has satisfied this Court that hearing of the suit is being delayed considering that a simple application filed two years back has not been taken up for consideration.

Learned Counsel for the defendant-opposite party submits that it is the plaintiff who has been delaying the case.

Considering the said fact and on hearing the learned Counsel for the parties, the learned Trial Court is directed to dispose of the application filed by the plaintiff praying for non acceptance of the written statement within thirty days from the date of communication of this order.

On hearing the parties, it is directed that the Trial Court shall also proceed to dispose of the suit in accordance with law expeditiously without granting any unnecessary adjournments to either sides, preferably within a period of one year from the date of communication of this order.

Accordingly, ALP No.14 of 2025 stands disposed of.

(SHAMPA DUTT (PAUL), J.)