

(2011) 06 CAL CK 0067

Calcutta High Court

Case No: C.O. No. 1123 of 2010

Barun Sen

APPELLANT

Vs

Arun @ Bhoja Sasmal

RESPONDENT

Date of Decision: June 28, 2011

Acts Referred:

- Specific Relief Act, 1963 - Section 6

Citation: (2011) 3 CHN 712

Hon'ble Judges: Prasenjit Mandal, J

Bench: Single Bench

Advocate: Sanjib Kr. Mukhopadhyay and Sunirmal Khanra, for the Appellant; Rajib Mukherjee and S. Ghosh for the O.Ps., for the Respondent

Judgement

Prasenjit Mandal, J.

Heard the learned Advocates for both the sides.

2. Vakalatnama filed by the opposite parties be kept with the record.

3. This application is at the instance of the plaintiffs for early disposal of a suit being Title suit No. 28 of 2008 pending before the learned Civil Judge (Junior Division), 4th Court at Sealdah.

4. The plaintiffs instituted the said suit for eviction u/s 6 of the Specific Relief Act. It is contended that the plaintiffs got possession of the suit premises by evicting the defendants from the premises and the defendants took forceful possession of the suit premises by some musclemen and for that reason they instituted the said suit u/s 6 of the Specific Relief Act. Such suit is to be disposed of as early as possible.

5. I am told that the suit is at the stage of framing of issues or the issues have been framed. So, therefore, it can be stated that the suit is almost ready for trial.

6. This being the position, this revisional application is disposed of by passing the following orders:

(i) That the learned Trial Judge shall expedite the disposal of the suit,

(ii) That he shall take up the peremptory hearing of the suit on day to day basis till completion of evidence of both the sides, (iii) That he shall not grant any adjournment to either of the parties except in extreme urgent cases, and

(iv) That in any way he shall dispose of the suit within four months from the date of fixing the first date of peremptory hearing.

7. There will be no order as to costs.

8. Urgent Photostat certified copy of this order, if applied for, be given to the learned Advocate for the parties upon compliance of necessary formalities.