

08.04.2021
Court No. 19
Item no.159
CP

C.O. 872 of 2021

S.R. Enclave Private Limited
vs.
Smt. Shakuntala Bera & ors.

Mr. Samrat Sen
Mr. Pratik Shanu
Mrs. S. Bhattacharyya

.....for the petitioner.

Mr. Avik Chaudhuri

.....for the opposite party no.1.

Mr. Pradeep Kumar Upadhyay

...for the opposite parties 2 to 5.

This revisional application has been filed by the plaintiff seeking expeditious disposal of the application for compromise filed in the court of the learned Civil Judge (Junior Division), 3rd Court, Alipore in Title Suit No.1364 of 2008.

It is submitted that the said application was filed on March 18, 2021 along with other interlocutory applications which were necessary for expeditious and an honourable resolution to the dispute between the parties which has been carrying on for a while. It is submitted that one of the parties is terminally ill and justice would be subserved if the learned court below is directed to proceed expeditiously and complete the proceedings so that

the suit can be resolved on the basis of the settlement arrived at between the parties.

All the contesting parties are before this court. None of them have any objection on the prayer made by the petitioners. It appears that the learned court below has already fixed April 16, 2021 for hearing of the two applications. This court hopes and trusts that in the facts narrated hereinabove the learned court below shall proceed with all the applications and dispose of the same expeditiously as it appears that the parties have already come to a compromise and there does not seem to be any further contest on merit.

It is needless to say that this court has not gone into the merits of the claims and the counter claims of the parties. The learned court below shall decide the issues independently and in accordance with law.

The revisional application is disposed of. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible subject to compliance of all usual formalities.

(Shampa Sarkar, J.)