

05.01.2021
Sl. No.28
srm

C.O. No. 1671 of 2020
Sri Bimal Bhowal & Anr.
Vs.
Sri Partha De & Anr.

Mrs. Sohini Chakraborty,
Ms. Prajaaini Das

...for the Petitioners.

This revisional application has been filed for expeditious disposal of Title Suit No. 674 of 2017 along with the interlocutory applications pending before the learned Civil Judge (Senior Division), 4th Court at Alipore.

It is the contention of the petitioners, that the suit has been dragging for various reasons and the interlocutory applications have also not been taken up. It is further contended that an application under Section 151 of the Code of Civil Procedure filed by the petitioners is pending for disposal although the written objection to the same has been filed by the opposite parties. It is next contended, that an application under Order I Rule 10 of the Code of Civil Procedure has also been filed, but the opposite parties have not filed their written objection to the same.

Under such circumstances, this revisional application is disposed of with a direction upon the learned Civil Judge (Senior Division), 4th Court at Alipore, to dispose of the

interlocutory applications pending before the learned Court below upon giving a last chance to the opposite party to file the written objection if not already filed. Thereafter the pending interlocutory applications should be disposed of within two months from the next date fixed. Once the applications are disposed of, the learned Court below is requested to dispose of the suit preferably within a period of one year thereafter.

This Court has not gone into the merits of the claim and counterclaim of the parties.

The learned Court below will decide the matter independently and without being influenced by any observation made hereinabove.

The learned Advocate-on-record for the petitioners is directed to serve copies of this revisional application upon the opposite parties along with a server copy of this order within a period of seven days from date.

This revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)