

June 22, 2023
Sl. No.204
Court No.19
s.biswas

CO 21 of 2022

Tulsiberia Daktarpara Masjid
vs.
Sk. Mainuddin and others

Ms. Sayanti Santra
Mr. Amarnath Dutta

... for the petitioner

The petitioner prays for expeditious disposal of the Title Suit No.41 of 2013, which is pending before the learned Civil Judge (Senior Division), Uluberia, Howrah. The petitioner is the defendant no.1 in the suit and prays for expeditious disposal of the suit.

The petitioner submits that the heirs of defendant no.11 have been substituted and lastly by an order dated March 28, 2023, the learned Civil Judge (Senior Division), Uluberia, Howrah has fixed the suit on August 22, 2023 for SR & AD in respect of the substituted defendant nos.11(a) to 11(e).

Considering the nature of the suit and the submissions made by the learned advocate for the defendant no.1, this court is of the view that justice would be subserved if the learned court below is directed to dispose of the Title Suit No.41 of 2013 within a reasonable time preferably within a year from the next date fixed, without granting unnecessary adjournments to either of the parties.

The learned Court shall ensure that service is complete and the plaintiffs may also be directed to

serve the defendant nos.11(a) to 11(e) in addition so that unnecessary wait for 'SR&AD' can be avoided.

This court has not gone into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous.

The revisional application is disposed of with a direction upon the learned court below to ensure that the substituted heirs are served expeditiously and shall make all necessary endeavour to dispose of the title suit within a year, without granting any unnecessary adjournments to either of the parties.

The petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the learned advocate appearing for the plaintiffs and the learned advocates appearing for the other defendants in the learned court below.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)