

Item No. 100  
11.08.2023  
Court. No. 19  
GB

C.O. 86 of 2023

Mahamuda Bibi  
Vs.  
Rafikul Islam & Ors.

*Mr. Shahinshah,  
Sk. Abumusa,  
Mr. Sirajul Haque*

*...for the Petitioner.*

The petitioner is the plaintiff in Title Suit No.270 of 2017, which is pending before the learned Civil Judge (Senior Division), 1<sup>st</sup> Court at Barasat. The petitioner prays for expeditious disposal of the said suit.

It is submitted that two applications, namely, an application under Order 39 Rules 1 and 2 of the Code of Civil Procedure and an application under Section 151 of the Code of Civil Procedure are pending.

Considering the age of the suit, this Court is of the view that the prayer of the petitioner is reasonable.

This Court has neither expressed any opinion on the merits of the suit nor on the merits of the applications. An order of expeditious disposal enures to the benefit of all the parties and hence this revisional application need not be served upon the opposite parties before its disposal. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Senior Division), 1<sup>st</sup> Court at Barasat to dispose of the applications within a period of three months from the next date fixed, upon giving adequate opportunity

to the opposite parties to contest the same. Thereafter, the suit shall be disposed of within a period of one year.

The learned court below shall proceed in accordance with law and independently, without granting unnecessary adjournments to either of the parties.

Accordingly, the revisional application is disposed of.

Petitioner is directed to serve a copy of the revisional application upon the opposite parties, along with a server copy of this order.

However, there will be 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.)**