

11.12.2023
Sl. No.256(DL)
srm

C.O. No. 156 of 2023

Mahesh Paik

Versus

Bhaskar Chandra Das

Mr. Manoranjan Jana

...for the Petitioner.

The plaintiff in Money Suit No.05 of 2006, which is pending before the learned Civil Judge (Junior Division) at Kakdwip, District South 24-Parganas, prays for expeditious disposal of the suit.

It is submitted that the defendant is avoiding the court. The evidence of PWs have been completed.

Considering the age of the suit and the submission, this Court is of the view that the prayer of the petitioner for early disposal of the suit, is innocuous. Neither party stands to lose if a proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties. Hence, there is no requirement for service of prior notice upon the opposite party.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to

dispose of the suit within a period of six months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite party within a week.

The revisional application is, thus, disposed of.

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

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)