

Item No. 35
04.07.2023
Court. No. 19
GB

C.O. 249 of 2023

Smt. Pushparani Mal & Ors.
Vs.
Sk. Siraj & Ors.

*Mr. Mrinal Kanti Ghosh,
Mr. Kartick Chandra Kapas*

...for the Petitioners.

The petitioners are the plaintiffs in Title Suit No.101 of 2019, which was dismissed for default by the learned Civil Judge (Junior Division), at Ghatal.

The petitioners filed an application for restoration under Order 9, Rule 9 of the Code of Civil Procedure. The said application was registered as J. Misc. Case No.35 of 2022. It is submitted that the said application may be directed to be disposed of expeditiously.

The plaintiffs are suffering since long. The prayer is reasonable. The defendants shall be allowed one last chance to file their objections to the said misc. case, if not already filed and thereafter, the same shall be disposed of within a month from the next date fixed.

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 and hence prior service of this revisional application upon the opposite parties, is not required. The prayer is innocuous.

Accordingly, the revisional application is disposed of.

However, there will be no order as to costs.

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

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

(Shampa Sarkar, J.)