

Item No. 122
16.06.2023
Court. No. 19
GB

C.O. 295 of 2020

Sri Debasis Das
Vs.
Prasun Kumar Das

*Mr. Krishna Das Poddar,
Mr. Gopal Krishna Maity*

...for the Petitioner.

The petitioner is the plaintiff in Title Suit No.439 of 2012 pending before the learned Civil Judge (Senior Division), 1st Court at Barasat.

It is submitted that although examination-in-chief of the P.W.1 was filed sometime in 2018, the suit has not progressed much. Rather, an application under Order 39, Rules 1 and 2 of the Code of Civil Procedure filed by the defendant, is still pending.

This Court has neither gone into the merits of the suit nor into the merits of the applications. An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisionsal application upon the opposite party, is not required. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Senior Division), 1st Court at Barasat to dispose of the Title Suit No.439 of 2012 along with all pending applications, within the course of this year by passing a preliminary decree and without granting unnecessary adjournments to either of the parties.

Accordingly, the revisional application is disposed of.

However, there will be no order as to costs.

Petitioner is directed to serve a copy of the revisional application upon the opposite party, 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.)