

July 20, 2023
Sl. No.104
Court No.19
s.biswas

CO 500 of 2023

Monihar Begam
vs.
Hasmat Ali Mullick ad others

Mr. Sk. Toslim Ali
Ms. Saba Parween

... for the petitioner

The petitioner is the defendant in Title Suit No.228 of 2019, which is pending before the learned Civil Judge (Senior Division), 3rd Court, Howrah. The petitioner prays for expeditious disposal of the suit as also the application for injunction.

It is contended that the learned court below has been extending the ad interim order of injunction without disposing of the main application, though on an earlier occasion, the learned court below was directed to dispose of the suit as also the pending application. The written objection to the said application has been filed.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said pending application as also the suit, expeditiously.

This court has neither gone into the merits of the application nor 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 dispose of the pending application within a period of two months from the next date fixed and thereafter make an endeavour to proceed with the suit and dispose of the same within a year after disposal of the application, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

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

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.)