

October 11, 2023
Sl. No.40
Court No.19
s.biswas

CO 522 of 2022

Sri Gouri Shankar Saboo
vs.
Sri Mahesh Kumar Saboo

Mr. Syed Sahid Imam
Ms. Nandini Mitra
Mr. Subhojit Seal

... for the petitioner

During pendency of the revisional application, the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure has been disposed of. Thus, the petitioner now prays for expeditious disposal of the Title Suit No.89 of 2020, which is pending before the learned Civil Judge (Senior Division), 1st Court, Sealdah. According to the petitioner, the date has been fixed for framing of issues.

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 suit, on an urgent basis.

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. Hence, prior service of this revisional application upon the opposite party, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending suit within a period of one year from the

next date fixed, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite party 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 party.

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.)