

Item No. 47
13.07.2023
Court. No. 19
GB

C.O. 546 of 2022

Tapesh Mukherjee & Ors.
Vs.
Sri Tapan Mukherjee & Ors.

Mr. Dyutiman Banerjee

...for the Petitioners.

The petitioners are the plaintiffs in Title Suit No.831 of 2016, which is pending before the learned Civil Judge (Senior Division), 1st Court at Barasat. The petitioners pray for expeditious disposal of the suit.

It is submitted that three applications are pending before the learned court below, but despite substantial passage of time, the applications have not yet been disposed of.

Considering the age of the suit, this Court is of the view that the prayer of the petitioner is reasonable.

This Court has neither expressed any opinion on the merits of the suit nor on the merits of the application. An order of expeditious disposal enures to the benefit of all the parties and hence this revisional application need not be served upon the opposite parties before its disposal. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Senior Division), 1st Court at Barasat to dispose of the applications within a period of four months from the next date fixed. After disposal of the applications, the suit shall be disposed of within the following year upon

giving adequate opportunity to the opposite parties to contest the suit.

The learned court below shall proceed in accordance with law and independently, without granting unnecessary adjournments to either of the party.

Accordingly, the revisional application is disposed of.

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

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)