

13.10.2023
Court No. 19
Item no.49
CP

CO/640/2023

SHUBHRO ROY @ SUBHRO ROY
VS
SUBIR ROY AND ORS

Mr. Suman Chattopadhyay
.....for the petitioner.

The petitioner prays for expeditious disposal of the Title Suit No. 141 of 2011, which is now pending before the learned Civil Judge (Senior Division) 5th Court, Alipore.

It is submitted that the ad interim order of injunction has been extended from time to time, but the application for temporary injunction is yet to be disposed of.

The prayer of the petitioner is innocuous. Neither party stands to lose if a proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties. Hence, there is no requirement for service of prior notice upon the opposite parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the said application within two months from the next date fixed. Thereafter, the suit shall be disposed of within a year from the disposal of the said

application. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the application and the suit. The learned court shall proceed independently and in accordance with law.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties and/or the learned advocate contesting the matter on behalf of the opposite parties in the learned court below, within a week.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)