

June 30, 2023  
Sl. No.53  
Court No.19  
s.biswas

CO 693 of 2023

*Sri Barin Kumar Ghosh*

*vs.*

*Smt. (Dr.) Namita Neogi and others*

Mr. Apurba Kumar Ghosh

Mr. Avinav Mukherjee

... for the petitioner

The petitioner is the plaintiff in the Title Suit No.75 of 1989 subsequently renumbered as Title Suit No.317 of 1999, which is pending before the Learned Civil Judge (Senior Division), 1<sup>st</sup> Court, Barasat. The petitioner prays for expeditious disposal of the said title suit along with the pending application, on the ground that the plaintiff is suffering since long.

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

This court has neither gone into 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.

Considering the age of the suit and the age of the petitioner, who is 81 years old, the revisional

application is disposed of with a direction upon the learned court below to dispose of the application within three months from the next date fixed and thereafter, the learned court below shall proceed with the hearing of the suit and dispose of the same within a year following the disposal of the application, without granting any unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings.

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.)**