

26.06.2023
Sl. No.253(DL)
srm

C.O. No. 739 of 2023
Sri Muktipada Sahoo & Ors.
Versus
Sri Haradhan Sahoo & Ors.

Mr. Mukteswar Maity

...for the Petitioners.

The petitioners are the plaintiffs in Title Suit No.29 of 2006, which is pending before the learned Civil Judge (Junior Division), Kakdwip, District-South 24-Parganas.

It is submitted by Mr. Maity, learned Advocate for the petitioners that the suit had been decreed *ex parte* and an application under order IX Rule 13 of the Code of Civil Procedure was filed by the defendant (Sri Karnapada Sahoo). The *ex parte* decree was set aside and the suit has revived for fresh hearing.

Under such circumstances, this Court is of the view that as the suit is of 2006 the same must be disposed of expeditiously.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties is not required. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to dispose of the title suit within a year from the next date fixed, strictly in accordance with law and independently, without granting unnecessary adjournments to any of the parties.

Considering the age of the suit, the time period shall be treated as mandatory.

This Court has not gone into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)