

25.07.2023
Court No. 19
Item No.121
CP

C.O. 778 of 2023

Manjira Mitter
Vs.
Sardar Onkerjit Singh Rekhi

Mrs. Pampa Dey Dhabal
Mr. Nikhil Kr. Gupta

....for the petitioner.

The petitioner is the landlord who seeks expeditious disposal of RC 88 of 2005, which is pending before the learned Civil Judge (Junior Division), 6th Bench, Alipore.

It is submitted that the suit has not progressed since inception. It is also submitted that no applications are pending. The issues have not yet been framed.

The prayer of the petitioners 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 party.

Considering the age of the suit, the revisional application is disposed of with a direction upon learned court below to dispose of the pending suit within a period of six months from the next date fixed, upon granting adequate opportunity to the parties to contest the same.

This court has not expressed any opinion on the merits of 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 party and/or the learned advocates contesting the matter on behalf of the opposite party 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.)