

Item No. 109
15.06.2023
Court. No. 19
GB

C.O. 889 of 2023

Subimal Chakravarti
Vs.
Banamali Senapati & Ors.

*Mr. Anirban Mitra,
Mr. Amit Halder,
Md. Wasim Akram*

...for the Petitioner.

The petitioner is the plaintiff in Title Suit No.22 of 1981 which was subsequently renumbered as Title Suit No.84 of 2014 and thereafter as Title Suit No.3442 of 2015. The said title suit is pending before the learned Civil Judge (Junior Division), 2nd Court at Tamruk, District – Purba Medinipur.

In this revisional application, the petitioner prays that the pending application and the suit be disposed of expeditiously. Attention of this Court has been drawn to an earlier order passed by a coordinate Bench of this Court directing the learned court below to dispose of the title suit within a period of three months from the date of communication of the order. Such order was passed on December 21, 2021 in C.O.1842 of 2021.

Having heard the learned advocate for the petitioner and having perused the records, it undoubtedly appears that the suit has been pending since long. The prayer for early hearing is innocuous.

This Court has not gone into the merits of the suit. An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence this revisional application

need not be served upon the opposite parties before its disposal.

Under such circumstances, this Court directs the learned court below to dispose of the suit along with the pending application, if any, within a period of six months from the next date fixed, without granting unnecessary adjournments to either of the parties.

The learned court below shall proceed in accordance with law and also on the basis of any order that may be passed in any other proceeding with regard to the acceptance of the written statement of the defendant nos.9 and 10.

Accordingly, the revisional application is disposed of.

Petitioner is 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.)