

19.07.2023
Sl. No.83(DL)
srm

C.O. No. 901 of 2023

M/s. Matara Panagarh Developers Private Limited

Versus

Smt. Prabhabati Das & Ors.

Mr. Abhishek Sikdar

...for the Petitioner.

The petitioner is the plaintiff in Title Suit No.162 of 2006, which is pending before the learned Civil Judge (Senior Division), 5th Court at Alipore.

It is submitted that an application under Order I Rule 10(2) of the Code of Civil Procedure is pending.

The petitioner prays for expeditious disposal of the application as also the suit.

Considering the age of the suit and the slow progress, the prayer is justified.

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 application within a period of one month from the next date fixed, strictly in accordance with law and independently, upon giving opportunity to the parties to contest the application and to file written objection, if not already filed. Thereafter, the court shall proceed with the hearing of the suit and dispose of the same within a period of one year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the suit nor into the merits of application.

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.)