

05.10.2023
Sl. No.104(DL)
srm

C.O. No. 922 of 2023

Aditya Bera

Versus

Ajanta Bera (Paul)

Mr. Shubham Gupta,
Md. Shamimuddin,
Mr. Shandipan Das,
Mr. Raunak Shaw

...for the Petitioner.

The petitioner prays for expeditious disposal of Misc. Act VIII No.235 of 2015, which is pending before the learned Additional District Judge, 1st Court at Barasat, North 24-Parganas.

It is submitted that no interlocutory applications are pending and the Act VIII case is ready for hearing.

Considering the submissions, the Court is of the view that the prayer of the petitioner 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.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to

dispose of the Act VIII case within a period of eight months from the next date fixed, independently and strictly in accordance with law, upon granting adequate opportunity to the respective parties to contest the proceedings. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the Act VIII case.

A copy of the revisional application along with a server copy of this order be served upon the opposite party 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.)