

31.07.2023
Court No. 19
Item No.43
CP

C.O. 964 of 2023

Kirti L. Kampani & anr.

Vs.

M/s. Pro Studio and Production & ors.

Mr. Rajib Mullick
Ms. Debjani Sengupta
Ms. Shukla Sammaddar
Ms. Jyoti Mondal

...for the Petitioners.

The petitioners as plaintiffs in Title Suit No. 33 of 2021, pray for expeditious disposal of the said Title Suit on the ground that the plaintiff no.1 is an octogenarian. The suit is pending before the learned Civil Judge (Senior Division), Sealdah, South 24 Parganas.

It is further submitted that the defendants entered appearance in the suit after a year from filing of the same. The written statement was also filed belatedly.

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 parties.

Considering the age of the plaintiff no.1, the revisional application is disposed of with a direction

upon learned trial court to dispose of the suit within a period of one year from the next date fixed, upon granting adequate opportunity to the parties to contest the same and also without granting unnecessary adjournments to either of the parties.

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 parties and/or the learned advocates contesting the matter on behalf of the opposite parties in the learned court below, within a week.

The revisional application is accordingly disposed of.

With the disposal of this revisional application, the application filed by the plaintiffs under Section 151 of the Code of Civil Procedure is also disposed of as infructuous.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)