

19.07.2023
Sl. No.84(DL)
srm

C.O. No. 965 of 2023

Umesh Mali & Anr.

Versus

Arati Sett & Ors.

Mr. Prasanta Kumar Banerjee,
Ms. Indrani Nandi

...for the Petitioners.

The petitioners are the defendants in Title Suit No.633 of 2015, which is pending before the learned Civil Judge (Junior Division), Hooghly at Chinsurah.

It is submitted that the defendant No.3 died during the pendency of the suit. By an order dated December 5, 2022, the learned court directed that steps be taken by the plaintiffs in respect of the death of the said defendant.

The petitioner prays for expeditious disposal of the suit.

Considering the age of the suit, the prayer is reasonable.

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 substitution application, if filed, within a period of two months from the next date fixed, strictly in accordance with law and independently. 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 substitution application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the suit.

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.)