

16.06.2023
Court No. 19
Item no.131
CP

C.O. 1181 of 2023

Banani Sarma & ors.
Vs.
Priyanka Agarwal & ors.

Mr. Varun Kothari
Mr. Biswajit Chowdhury

... for the Petitioners.

The petitioners are the plaintiffs of the Title Suit No. 99 of 2020, pending before the learned Civil Judge (Senior Division), 1st Court, Alipore. The petitioner prays for expeditious disposal of the pending applications filed by the respective parties in the said suit.

It is submitted that the application for injunction filed by both the parties as also an application under Order 39 Rule 2A of the Code of Civil Procedure which has been numbered as a separate Misc. Case and which has been filed by the petitioners, is also pending. These applications have been dragging since long.

The prayer of the petitioners are 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 and,

hence, there is no requirement for service of prior notice upon the opposite parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending applications as also the Misc. Case within a period of three months from the next date fixed. Upon conclusion of the pending applications the learned court below shall make sincere endeavour to dispose of the suit expeditiously.

This court has not expressed any opinion on the merits of the issues involved either on the applications pending or on the suit. The learned tribunal shall proceed independently.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties and/or their learned advocates contesting the matter in the learned court below, within a week.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)