

21.06.2023
Sl. No.204(DL)
srm

C.O. No. 1251 of 2023

Smt. Ruma De & Ors.

Versus

Sri Shyamal Kumar De & Ors.

Mr. Subrata Basak,
Ms. Jayasree Ghosh

...for the Petitioners.

The revisional application has been filed by the plaintiffs in Title Suit No.2092 of 1983 which is pending before the learned Judge, City Civil Court, 10th Bench at Calcutta.

It is contended that the preliminary decree was passed on April 29, 2008, but the final decree has not yet been drawn up. Certain applications were filed by the defendants due to which, the prayer of the plaintiffs for deposit of owelty money could not be considered by the learned court below. It is submitted that the learned court below should be directed to complete the entire process and draw up the decree.

It appears from the record that by order No.287 passed on August 7, 2012 the suit was finally decreed on admission by the parties. The plaintiffs were directed to pay the owelty money to the tune of Rs.5,88,897/- in favour of the defendants.

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 proceedings by drawing up the final decree within a period of two months from the next date fixed, strictly in accordance with law and independently.

This Court has not gone into the merits of the pending proceedings.

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.)