

16.10.2023
Sl. No.60(DL)
srm

C.O. No. 1279 of 2023

Smt. Maya Das (Nee Dhar) & Anr.

Versus

M/s. S. C. Construction & Ors.

Mr. Falguni Bandyopadhyay,
Ms. Nandini Sharma

...for the Petitioners.

The petitioners are the plaintiffs in Title Suit No.619 of 2019, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Alipore, South 24-Parganas.

The petitioners submit that an application is pending.

The petitioners pray for expeditious disposal of pending application along with suit.

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

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to dispose of the title suit along with the pending application(s)

within a period of one year from the next date fixed, independently and strictly in accordance with law, upon granting adequate opportunity to the opposite parties/defendants to file their objections. Unnecessary adjournments shall not be granted to any of the parties.

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.)