

Item No. 55
11.07.2023
Court. No. 19
GB

C.O. 1307 of 2023

Raghav Kajaria
Vs.
Indranil Ghosh & Ors.

Mr. Shorbopriyo Mukherjee,
Mr. Amit Kr. Nag

...for the Petitioner.

The petitioner prays for expeditious disposal of the application for amendment for plaint as also the Title Suit No.1189 of 2018, which is pending before the learned Civil Judge (Senior Division) at Alipore.

It is contended that the Hon'ble Apex Court had directed the suit to be disposed of within nine months from the date of the order passed by their Lordships.

Considering the age of the suit, this Court is of the view that the prayer of the petitioner is reasonable.

This Court has neither expressed any opinion on the merits of the suit not on the merits of the application. An order of expeditious disposal enures to the benefit of all the parties and hence this revisional application need not be served upon the opposite parties before its disposal. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Senior Division) at Alipore to dispose of the application for amendment along with the objection within a period of three months from the next date fixed. After disposal of the application, the suit shall be disposed of

within the following six months upon giving adequate opportunity to the opposite parties to contest the suit.

The learned court below shall proceed in accordance with law and independently, without granting unnecessary adjournment to either of the party.

Accordingly, the revisional application is disposed of.

Petitioner is directed to serve a copy of the revisional application upon the opposite parties, along with the server copy of this order.

However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)