

June 30, 2023  
Sl. No.56  
Court No.19  
s.biswas

CO 1316 of 2023  
*Sri Suroth Ghosh Mazumder*  
*vs.*  
*Sanil Chandran and another*

Mr. Manik Lal Poddar

... for the petitioner

The petitioner is the plaintiff in the Ejectment Suit No.61 of 2013, which is pending before the Learned Civil Judge (Junior Division), 2<sup>nd</sup> Court, Alipore. It is submitted that two applications, one under Order 39 Rule 1 & 2 and the other filed under Order 8 Rule 9 of the Code of Civil Procedure, are pending. The petitioner prays for expeditious disposal of the said ejectment suit along with the pending applications.

Under such circumstances, this court is of the view that that justice would be subserved if the learned court below is directed to dispose of the said title suit along with the pending applications, expeditiously.

This court has neither gone into merits of the applications nor into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties would not be necessary. The prayer is innocuous.

Hence, the revisional application is disposed of with a direction upon the learned court below to

dispose of the applications within two months from the next date fixed and thereafter, the learned court below shall proceed with the hearing of the suit and dispose of the same within one year following the disposal of the applications, without granting any unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings.

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

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**