

Item No. 40
22.08.2023
Court. No. 19
GB

C.O. 1327 of 2023

Sri Monoj Kumar Gupta @ Manoj Gupta
Vs.
Sri Suraj Singh & Ors.

Mr. Arjun Samanta,
Ms. Anita Sarswat

...for the Petitioner.

The petitioner prays for expeditious disposal of the Title Suit No.222 of 2019, which is pending before the learned Civil Judge (Senior Division), 2nd Court at Howrah.

It is submitted that the suit is one for partition. It is also submitted that preliminary decree has not yet been passed.

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

This Court has not expressed any opinion on the merits of the suit. 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), 2nd Court at Howrah to proceed with the suit expeditiously and pass the preliminary decree within a year from date of communication of this order. Thereafter the learned court below shall make all endeavour to ensure that the final decree is passed within a period of six months.

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

Accordingly, the revisional application is disposed of.

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