

August 22, 2023
Sl. No.43
Court No.19
s.biswas

CO 1394 of 2023

Sri Joydeb Naskar and others
vs.
Sri Swapan Das and others

Mr. Dibakar Bhattacharjee

... for the petitioners

The petitioners are the plaintiffs/decreed holders, who pray for expeditious disposal of the Misc. Case No.36 of 2002 arising out of Title Execution Case No.10 of 2000.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said misc. case, on an urgent basis.

This court has not gone into the merits of the said misc. case. 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 and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of the misc. case within a period of two months from the next date fixed. Thereafter the learned court below shall proceed with the said execution case in accordance with law and dispose of the same expeditiously, unless there are stay orders from any other superior competent court or forum.

Unnecessary adjournments shall not be granted to either of the parties. Adequate opportunity should be granted to the parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

Petitioners are 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.)