

Item No. 104
11.08.2023
Court. No. 19
GB

C.O. 1425 of 2023

Smt. Kakali Chatterjee & Anr.
Vs.
Sri Subodh Chandra Dutta & Anr.

Mr. Sk. Zubari Ahmed

...for the Petitioners.

The petitioners are the plaintiffs in Title Suit No.307 of 2017, which is pending before the learned Civil Judge (Senior Division), 1st Court, Hooghly, Chinsurah. The petitioners pray for expeditious disposal of the said suit.

It is submitted that an application under Order 26 Rule 9 of the Code of Civil Procedure is pending.

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

This Court has neither expressed any opinion on the merits of the suit nor 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), 1st Court, Hooghly, Chinsurah to dispose of the application within a period of one month from the next date fixed, upon giving adequate opportunity to the opposite parties to contest the same. Thereafter, the suit shall be disposed of within a year.

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.

Petitioners are 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.)