

21.06.2023
Sl. No.205(DL)
srm

C.O. No. 1450 of 2023

Noorangina @ Bebi Begum & Ors.

Versus

Hafes Mufti & Ors.

Mr. Prasanta Bishal

...for the Petitioners.

The petitioners are the plaintiffs in Title Suit No.53 of 2015, which is pending before the learned Civil Judge (Senior Division), 7th Court at Alipore. The petitioners pray that the application for local inspection and the application for injunction under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, be disposed of expeditiously.

It is submitted that the suit is for partition and justice would be sub-served, if the said applications are disposed of on their own merits at an early date.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties is not required. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to dispose of both the applications within a period of three

months from the next date fixed, and thereafter, the learned court below shall proceed with the suit and pass the preliminary decree within six months from disposal of the applications, strictly in accordance with law and independently.

This Court has neither gone into the merits of the suit nor into the merits of the applications.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)