

20.07.2023
Sl. No.105(DL)
srm

C.O. No. 1455 of 2023
Smt. Bratati Chowdhury & Anr.
Versus
Smt. Kalpana Verma alias Kalpana Barman & Ors.

Ms. Manali Biswas,
Mr. Mrinal Saha

...for the Petitioners.

The petitioners are the landlords in Ejectment Case No.328 of 2006, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Sealdah. The petitioners pray for expeditious disposal of the application under Section 7(2) of the West Bengal Premises Tenancy Act.

It is submitted that the said application has been pending since 2007. It appears from the records that on an earlier occasion, another Hon'ble Judge had directed that the said application be disposed within three weeks from the date of communication of His Lordship's order dated January 24, 2019.

The petitioners pray for expeditious disposal of the application as also the Ejectment case.

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.

Considering the delay caused in disposing of the application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997, this Court is of the view that the said application should be disposed of positively, by the learned court below, within a period of two weeks from the next date fixed. Upon disposal of the application under Section 7(2) of the said Act, report shall be filed before the learned Registrar General of this Court disposal of the said application. Thereafter, depending on the order passed, the suit shall proceed and be disposed of within a period of four months from the date of disposal of the application, strictly in accordance with law and independently, upon giving opportunity to the parties to contest the suit. Unnecessary adjournments shall not be granted to any of the parties.

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

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.)