

26.07.2023

CO 1467 of 2023

**Menaka Ghosh & Anr.
Vs.
Swapna Ghosh & Anr.**

Mr. Asis Bhattacharyya
Mr. B. Mitra

... .. for the petitioners

The petitioners are the plaintiffs in Title Suit No.178 of 2012. The said Suit is pending before the learned 5th Civil Judge (Senior Division) at Alipore. It is a suit for partition. The petitioners pray for expeditious disposal of the said suit. The petitioners submit that no applications are pending.

It is further submitted that issues have not been framed as yet.

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

This Court has not expressed any opinion on the merits of the suit. An order of expeditious disposal ensures 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 Court below to make all endeavour to pass the preliminary decree within a year. Thereafter, the entire suit shall be disposed of and the final decree shall be

passed within a period of six months from the date of passing of the preliminary decree.

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 the server copy of this order.

However, there will be no order as to costs.

Parties to act on a server copy of this order.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)