

Item No. 36
31.08.2023
Court. No. 19
GB

C.O. 1481 of 2023

Mahesh Kumar Kejriwal
Vs.
Ramesh Kumar Kejriwal & Ors.

Mr. Avirup Mondal,
Mr. Debasish Ghosh

...for the Petitioners.

The petitioner is the plaintiff in Title Suit No.242 of 2011, which is pending before the learned Civil Judge (Senior Division) at Uluberia. The petitioner prays for expeditious disposal of the interlocutory application as also the suit.

Considering the age of the suit and the long pendency of the application, 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) at Uluberia to dispose of the application within a period of three months from the next date fixed, upon giving adequate opportunity to the parties to contest the same by filing written objections, if not already filed. 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.

Petitioner is 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.)