

July 17, 2023
Sl. No.66
Court No.19
s.biswas

CO 1552 of 2023

Sanjay Kumar Sukhani

vs.

Sukhani Radha Chandan Charitable Trust and another

Mr. Shubham Gupta

Mr. Tanmoy Kumar Dey

Ms. Nayonika Chakraborty

... for the petitioner

The petitioner is the defendant in Title Suit No.91 of 2021, which is pending before the learned Judge, XIIth Bench, City Civil Court, Calcutta. The petitioner prays for expeditious disposal of the pending applications, four in number, which have been filed in connection with the suit. Further prayer for expeditious disposal of the main suit is also made. It is submitted that on sixteen occasions, the suit was adjourned.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the pending applications as also the suit, expeditiously.

This court has neither gone into the merits of the applications nor into the merits the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending applications within a period of six months from the next date fixed and thereafter the learned court below will make an endeavour to dispose of the suit within a year after disposal of the applications, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)