

July 18, 2023
Sl. No.75
Court No.19
s.biswas

CO 1560 of 2023

Shree Nibas Banerjee and another
vs.
Shyam Sundar Gupta and another

Mr. Anup Pramanik

... for the petitioners

The petitioners are the plaintiffs in Ejectment Suit No.59 of 2020, which is pending before the learned Civil Judge (Junior Division), 4th Court, Alipore, South 24 Parganas. It is submitted that applications under Section 7(1) and 7(2) of the West Bengal Premises Tenancy Act are pending since long and adjournments are being prayed for. The petitioners pray for expeditious disposal of the pending application as also the suit.

Considering the age of the suit, 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 of 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 two months from the next date fixed and thereafter make an endeavour to proceed with the suit and dispose of the same within a period of one year after disposal of the applications, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the parties to contest the proceedings, as per law. The learned court below shall proceed strictly in accordance with law and independently.

Petitioners are 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.)