

Item No. 305
28.06.2023
Court. No. 19
GB

C.O. 1589 of 2023

Amalendu Ghosh

Vs.

Ajoy Kumar Ghosh

Mr. Anubhav Roy,
Mr. Dyutiman Banerjee

...for the Petitioner.

The petitioner, who is the plaintiff in Title Suit No.136 of 2009, pending before the learned Civil Judge (Junior Division), 2nd Court at Barrackpore prays for expeditious disposal of the said suit.

It is submitted that an application under Section 151 of the Code of Civil Procedure, filed by the defendant in the suit, has been pending since 2017.

Considering the age of the suit and the age of the application, which is yet to be disposed of, this Court expresses concern.

This Court has neither gone into the merits of the suit nor into the merits of the pending application. 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 party is not required. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Junior Division), 2nd Court at Barrackpore to dispose of the pending application within a period of two months from the next date fixed, without

granting unnecessary adjournments to either of the parties. After disposal of the aforementioned application, the learned court shall dispose of the suit within a period of eight months. The learned court below shall proceed in accordance with law and independently.

Accordingly, the revisional application is disposed of.

However, there will be no order as to costs.

Petitioner is directed to serve a copy of the revisional application upon the opposite party, along with the 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.)