

Item No. 33
24.08.2023
Court. No. 19
GB

C.O. 1617 of 2023

Goutam Chatterjee

Vs.

Niroda Roy (since deceased) represented by her
Legal heirs, namely, Khokan Roy & Ors.

Mr. Subhasish Mukhopadhyay

...for the Petitioner.

The petitioner is the plaintiff. The plaintiff has filed a suit for eviction being Title Suit No.308 of 2019, which is pending before the learned Civil Judge (Junior Division) at Lalbagh, Murshidabad. The petitioner prays for expeditious disposal of the title suit.

It is submitted that an application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 filed by the defendant/tenant is pending.

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 (Junior Division) at Lalbagh, Murshidabad to dispose of the application within a month from the next date fixed, upon giving adequate opportunity to the opposite party to contest the same. The suit shall be disposed of within a year thereafter.

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.)