

12.06.2023
Sl. No.27(DL)
srm

C.O. No. 1626 of 2023

Subimal Paul & Anr.

Versus

Snigdha Paul & Ors.

Mr. Animesh Paul,
Ms. Haardikaa Rardev

...for the Petitioners.

The petitioners pray for expeditious disposal of the application under Order XXXIX Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, which has been filed in connection with the Title Suit No.1579 of 2019 and is pending before the learned Civil Judge (Junior Division), 6th Court at Howrah.

The learned Advocate for the petitioners submits that despite there being an order of the learned lower appellate court with regard to the disposal of the application for injunction, the learned court below has failed to hear out the application and instead has fixed the application under Order VII Rule 11 of the Code of Civil Procedure, for hearing.

Without going into the merits of the application made by the petitioners and without going into the merits of the claims and counter-claims of the parties, this revisional

application is disposed of with a direction upon the learned Civil Judge (Junior Division), 6th Court at Howrah, to dispose of the pending application in the Title Suit No.1579 of 2019 within a period of four months from next date fixed.

As an innocuous prayer for early disposal of the pending application has been made and in view of the fact that expeditious disposal of any proceeding is always beneficial to both the parties, prior service of notice upon the opposite parties before disposal of the revisional application is not necessary.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties/plaintiffs within course of this week.

The revisional application is disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)