

June 8, 2023
Sl. No.18
Court No.19
s.biswas

CO 1689 of 2023

Subrata Ghosh

vs.

Sukhamay Ghosh and another

Mr. Arunabha Maitra

Ms. Manasi Das

... for the petitioner

The petitioner is the plaintiff in the suit for declaration and permanent injunction being Title Suit No.98 of 2021 pending before the learned Civil Judge (Junior Division), 2nd Court, Barrackpore.

The petitioner submits that an application for temporary injunction and also local inspection are pending. It is submitted that the ad interim order of status quo is being extended from time to time, but the main application is yet to be disposed of. It is further submitted that the applications are ready for hearing and written objections have already been filed.

The petitioner has made a very innocuous prayer for expeditious disposal of the pending applications, as also the suit. If such prayer is allowed, it would not cause any injustice to any of the parties and would enure to the benefit of the parties.

Under such circumstances, without going into the merits of the suit and without making any observation on the right, title and interest of the

petitioner in respect of the suit property and the relief claimed by the petitioner in the suit, this revisional application is disposed of with direction upon the learned Civil Judge (Junior Division), 2nd Court at Barrackpore, to dispose of the title suit along with the pending application expeditiously. The pending application must be disposed of within three months from the next date fixed and thereafter the suit shall be disposed of within a year.

A copy of this revisional application along with a sever copy of this order, be served upon the opposite party within a period of a week from date.

All the parties and the learned court below shall act on the basis of the server copy of this order.

(Shampa Sarkar, J.)