

June 19, 2023
Sl. No.156
Court No.19
s.biswas

CO 1796 of 2023

Bhagi Rathie Abasan Pvt. Ltd. and others
vs.
Sanjit Kumar Jha and others

Mr. Piyush Chaturvedi
Mr. Suman Basu
Mr. Abdul Murshid
Md. Mahfuz Takrim
Ms. Debanwita Pramanik

... for the petitioners

The petitioners are some of the defendants in Title Suit No.261 of 2016, pending before the learned Civil Judge (Senior Division), 1st Court, Baruipur, South 24 Parganas. The suit is for partition.

The learned advocate for the petitioners submits that the application for injunction filed by the plaintiffs is still pending for final disposal. It is prayed that directions may be passed for early disposal of the application for injunction as also the suit.

Mr. Chaturvedi, learned advocate for the petitioners has placed a copy of the order passed by a Co-ordinate Bench of this Court, by which the learned court below was directed to dispose of the pending application for injunction, expeditiously. It is submitted that despite such direction, the application is still pending.

Under such circumstances, this court is of the view that justice would be subserved if the learned court below is directed to dispose of the pending

application as the learned court below may deem fit and proper, but within a period of two months from the next date fixed.

This court has not gone 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.

It is also requested that the learned court below shall make all necessary endeavour to dispose of the suit within a year after disposal of the application for injunction, without granting any unnecessary adjournment to either of the parties, and strictly in accordance with law.

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.)