

Item No. 87
19.07.2023
Court. No. 19
GB

C.O. 1881 of 2023

Sri Parimal Ghosh & Ors.
Vs.
Smt. Sonali Bose & Ors.

*Mr. Sabyasachi Mukherjee,
Ms. Debarati Chaudhury,
Mr. Mrinmoy Nandi,
Mr. Syed Neaz Ahmead*

...for the Petitioners.

The preemptees in Misc. Case No.35 of 2012, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Barastat, District – North 24 Parganas, pray for expeditious disposal of the said misc. case. The said misc. case is under Section 8 of the West Bengal Land Reforms Act, 1955.

It is submitted that no other applications are pending. It appears that the matter was sent for mediation, but the matter was not settled. Dates were fixed for cross-examination of P.W.1 since 2020. The next date has been fixed on August 19, 2023, for further cross-examination of P.W.1.

Considering the age of the misc. case and the stage of the proceeding, this Court is of the view that the prayer of the petitioners is reasonable.

This Court has not expressed any opinion on the merits of the misc. case. 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), 2nd Court at Barastat, District – North 24 Parganas to dispose of the Misc. Case No.35 of 2012 within a period of six months from the next date fixed, upon giving adequate opportunity to the opposite parties to contest the misc. case.

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.

Petitioners are directed to serve a copy of the revisional application upon the opposite parties, along with the 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.)