

Item No. 34
24.08.2023
Court. No. 19
GB

C.O. 1914 of 2023

Mayfair Properties
Vs.
Smt. Malati Ghosh & Ors.

Mr. Apurba Kr. Ghosh

...for the Petitioner.

The petitioner is the defendant no.22 in Title Suit No.33 of 2006, which is pending before the learned Civil Judge (Senior Division), 1st Court at Baruipur. The petitioner prays for expeditious disposal of the title suit.

It is submitted that although an application for addition of party with regard to addition of the heirs of the defendant no.9 has been allowed, no steps have been taken by the plaintiff for securing appearance of the added defendants. It is further submitted that dates have been fixed for S.R. and A.D. It is also submitted that cross-examination of P.W.1 commenced sometime in 2017.

Considering the age of the suit and the stage of the suit, this Court is of the view that the prayer of the petitioner is reasonable.

This Court has not expressed any opinion on the merits of the suit. 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 (Senior Division), 1st Court at Baruipur to proceed with the suit expeditiously and pass a preliminary

decree within a year from the date of communication of this order upon securing adequate service of notice upon the added parties.

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.)