

June 23, 2023
Sl. No.221
Court No.19
s.biswas

CO 1921 of 2023

Trimurti Complex (P) Limited

vs.

Pramod Kumar Teari and another

Mr. Debjit Mukherjee

Mr. S. Chattejee

Mr. K. Bhattacharya

... for the petitioner

This is an application for expeditious disposal of the Title Suit No.96 of 2016, which is pending before the learned Civil Judge (Senior Division), 2nd Court, Howrah. It is submitted that the suit is for declaration, partition and injunction.

The petitioner is the plaintiff in the said title suit. Preliminary decree was passed on December 20, 2018. The partition commissioner was appointed on June 18, 2019. He filed a report. Dates have been fixed for acceptance of the report of the partition commissioner. It is alleged that the defendants have been seeking adjournments regularly. By an order dated December 13, 2017, a Co-ordinate Bench of this Court had directed that the suit should be disposed of within four months from the date of communication of the order, but the suit 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 suit expeditiously.

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.

The revisional application is disposed of with direction upon the learned court below to make an endeavour to dispose of the suit within a period of four months from the next date fixed, without granting any unnecessary adjournment to either of the parties. The learned court shall proceed strictly in accordance with law and independently.

The petitioner is 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.)