

13.10.2023
Court No. 19
Item no.50
CP

CO/1933/2023

MANAS NEOGY
VS
MEMBER SECRETARY, DISTRICT
HEALTH & FAMILY WELFARE
SAMITY, HOOGHLY & ANR.

Mr. Suranjit Ghosh
Mr. Bhaskar Duttagupta
.....for the petitioner.

Affidavit of service is taken on record.

Despite service, none appears on behalf of the
opposite parties.

The petitioner prays for expeditious disposal of
the Misc. Case No. 38 of 2020, which is pending
before the learned District Judge, Hooghly.

The prayer of the petitioner is innocuous.
Neither party stands to lose if a proceeding is
disposed of expeditiously. In fact, such expeditious
disposal shall enure to the benefit of the parties.
Hence, there is no requirement for service of prior
notice upon the opposite parties.

The revisional application is disposed of with a
direction upon the learned court below to dispose of
the said Misc. Case within two months from the next
date fixed. Adequate opportunity shall be granted to
the parties to contest the same.

This court has not expressed any opinion on the merits of the Misc. Case. The learned court shall proceed and decide the fate of the Misc. Case independently and in accordance with law.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties and/or the learned advocate contesting the matter on behalf of the opposite parties in the learned court below, within a week.

The revisional application is accordingly disposed of.

This direction shall not be construed as an opinion of the court on the maintainability of the application.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)