

13.07.2023
Sl. No.52(DL)
srm

C.O. No. 1943 of 2023

Roshna Khatun & Anr.

Versus

Rabejan Bewa & Ors.

Mr. Shibasis Chatterjee

...for the Petitioners.

The petitioners are the defendant Nos.1 and 2 in Partition Suit No.387 of 2020 which is pending before the learned Civil Judge (Senior Division), Lalbagh, District-Murshidabad.

The petitioners pray for expeditious disposal of the application under XLI Rules 1 and 2 of the Code of Civil Procedure as also the said suit.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties is not required. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to dispose of the application within a period of two months from the next date fixed, strictly in accordance with law and independently. Thereafter, the court shall proceed with the

hearing of the suit and pass a preliminary decree within a year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the suit nor into the merits of application.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)