

27.06.2023
Court No. 19
Item no.290
CP

C.O. 1965 of 2023

Sri Sauvick Samanta
Vs.
Sri Sasticharan Hazra

Mr. Animesh Paul
Ms. Haardikaa Rajdev
Mr. S. O. Ali

....for the petitioner.

The petitioner is the plaintiff in Title Suit No. 755 of 2020, which is pending before the learned Civil Judge (Junior Division), 3rd Court, Howrah. The petitioner prays for expeditious disposal of the application under Order 39 Rule 7 of the Code of Civil Procedure which is pending disposal since May, 2022. This court finds from the records that the said application has been pending since long.

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 and, hence, there is no requirement for service of prior notice upon the opposite party.

The revisional application is disposed of with a direction upon the learned court below, to dispose of the said application within a period of two months from the next date fixed. Thereafter, the suit shall

proceed in accordance with law and be disposed of expeditiously.

This court has not expressed any opinion on the merits of the said pending application. The learned court shall proceed 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 party and/or the learned advocates contesting the matter on behalf of the opposite party in the learned court below, within a week.

The revisional application is accordingly disposed of. Connected application, if any, is also disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)