

27.06.2023
Court No. 19
Item no.291
CP

C.O. 2030 of 2023

Chandra Nath Banerjee
Vs.
Dipjyoti Banerjee & ors.

Mr. Tarak Nath Halder

....for the petitioner.

The petitioner is the plaintiff in Title Suit No. 40 of 2016, which is pending before the learned Civil Judge (Senior Division), Sealdah. The petitioner relies on an order by which the learned trial judge was directed to dispose of the suit within March 31, 2019. The petitioner submits that no applications are pending and the suit is at the stage of recording evidence.

It appears that the evidence of the DW has been fixed on several dates.

Having considered the earlier order of this court and the age of the suit, this court deems it proper to direct the learned court below to dispose of the suit expeditiously, within a period of six months from the next date fixed.

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 parties.

This court has not expressed any opinion on the merits of the said pending suit. 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 parties and/or the learned advocates contesting the matter on behalf of the opposite parties 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.)