

04.07.2023
Sl. No.38(DL)
srm

C.O. No. 2031 of 2023

Anindita Mandal nee Biswas

Versus

Mira Mandal & Ors.

Mr. Rajdeep Bhattacharya,
Mr. Sauradeep Dutta

...for the Petitioner.

The petitioner is the defendant No.1 in Title Suit No.150 of 2015, which is pending before the learned Civil Judge (Senior Division), 3rd Court at Alipore, District-South 24-Parganas. The petitioner prays for expeditious disposal of the title suit along with the two applications which are pending before the learned court below.

It is submitted that two applications are pending; one under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure and another under Section 151 of the Code of Civil Procedure. Objections in respect of both the applications have been filed.

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 pending applications within a period of three months from the next date fixed, strictly in accordance with law and independently, upon giving an opportunity to the opposite parties to file their objection, if not already done. Thereafter, the suit shall be decided within a year from the date of disposal of the applications. 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 the applications.

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.)