

11.08.2023
Sl. No.106(DL)
srm

C.O. No. 2043 of 2023

Md. Ansar Ali

Versus

Habibar Rahaman & Ors.

Mr. Shahan Shah,
Mr. Sirajul Haque Mondal

...for the Petitioner.

The petitioner is a defendant in Title Suit No.758 of 2017, which is pending before the learned Civil Judge (Junior Division), 1st Court at Barasat, North 24-Parganas.

It is submitted that an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure and another application under Order VII Rule 11 of the Code of Civil Procedure are pending.

The petitioners pray for expeditious disposal of the applications as also the 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 applications within a period of four months

from the next date fixed, independently and strictly in accordance with law, upon granting adequate opportunity to the respective parties to contest the applications and to file their written objection, if not already filed. Thereafter, the court shall proceed with the hearing of the suit and dispose of the same within a period of one 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 applications.

A copy of the revisional application, along with a server copy of this order, be served upon the learned Advocate for the opposite parties in the learned court below 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.)