

04.07.2023
Sl. No.40(DL)
srm

C.O. No. 2101 of 2023

Rajan Singh & Anr.

Versus

Mahabir Prasad Soni

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee

...for the Petitioners.

The petitioners are the plaintiffs/landlords in Title Suit No.1079 of 2020, which is pending before the learned Civil Judge (Junior Division), 3rd Court, Howrah. The plaintiffs have filed a suit for eviction, recovery of khas possession and mesne profit against the opposite party.

It is submitted that the title suit has come to a standstill as the applications under Sections 7(1) and 7(2) of the West Bengal Premises Tenancy Act, 1997 are yet to be disposed of. The plaintiffs filed their objections to the said applications. The defendant did not proceed with the application and the trial court had directed the defendant to show cause as to why the said application shall not be disposed of.

It is submitted that an explanation has been filed, but the said applications are yet to be disposed of.

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 party 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 two months from the next date fixed, strictly in accordance with law and independently. Thereafter, the title 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 party 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.)