

Item No. 77
18.07.2023
Court. No. 19
GB

C.O. 2116 of 2023

Kamal Krishna Hait
Vs.
Subhendu Shaw

Mr. Sounak Bera

...for the Petitioner.

The petitioner is the appellant/judgment debtor in Title Appeal No.14 of 2015, which is pending before the learned Civil Judge (Junior Division), First Track 3rd Court at Basirhat. The appeal was filed by the petitioner being aggrieved by the judgment and decree dated February 27, 2015 passed in Title Suit No.36 of 1985.

It is submitted that the appeal has been heard in-part and dates have been fixed for the past six months.

Considering the age of the appeal, this Court is of the view that the prayer of the petitioner is reasonable.

This Court has not expressed any opinion on the merits of the appeal. An order of expeditious disposal enures to the benefit of all the parties and hence this revisional application need not be served upon the opposite party before its disposal. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge ((Junior Division), First Track 3rd Court at Basirhat to dispose of appeal within a period of four months from the next date fixed.

The learned court below shall proceed in accordance with law and independently, without granting unnecessary adjournments to either of the parties.

Accordingly, the revisional application is disposed of.

Petitioner is directed to serve a copy of the revisional application upon the opposite party, along with the server copy of this order.

However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)