

07.07.2023
Court No. 19
Item no.26
CP

C.O. No. 2133 of 2023

Asha Bansal & ors.

Vs.

Giriwar Kumar Agarwal

Mr. Siddhartha Banerjee
Mr. Meghnad Dutta
Ms. Shreya Choudhary
Mr. Srijit Halder

...for the Petitioners.

The petitioners are the plaintiffs in Ejectment Suit No. 21 of 2022, which is pending before the learned Judge, 12th Bench, City Civil Court at Calcutta. The petitioners submit that three applications are pending before the learned court below and the said applications must be disposed of expeditiously. It is further submitted that upon disposal of the applications, further direction be given to the learned court below, to dispose of the suit expeditiously.

The prayer of the petitioners 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 party.

Having considered the fact that three applications are pending, this court directs that

those three applications should be disposed of within a period of six months from the next date fixed, upon giving the opposite party adequate opportunity to contest the same. Thereafter, the suit shall be concluded expeditiously, preferably within a year from disposal of the applications.

This court has not expressed any opinion on the merits of the said applications as also the 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 party and/or the learned advocates contesting the matter on behalf of the opposite party in the learned court below, within a week.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)