

Item No. 58
11.07.2023
Court. No. 19
GB

C.O. 2135 of 2023

Amiya Chorone Roquitte @ Amiya Charan Rakshit
Vs.
Sabir Yusuf Chiba

Mr. Meghnad Datta,

...for the Petitioner.

The petitioner is the plaintiff in Ejectment Suit No.12 of 2012, which is pending before the learned Judge, 2nd Bench, City Civil Court at Calcutta. The petitioner prays for expeditious disposal of the suit.

It is submitted that an application under Section 7(1) and 7(2) of the West Bengal Premises Tenancy Act, 1997 was disposed of sometime in 2020. It is also submitted that an application under Order 6, Rule 7 for amendment of the plaint is pending. The same is yet to be disposed of.

This Court has neither expressed any opinion on the merits of the suit nor on the merits of the application. 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 Judge, 2nd Bench, City Civil Court at Calcutta to dispose of the application for amendment along with the objection within a period of three months from the next date fixed. After disposal of the application, the suit shall be disposed of within the following six months upon giving

adequate opportunity to the opposite parties to contest the suit.

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

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.)