

Item No. 38 & 484
24.08.2023
Court. No. 19
GB

C.O. 2146 of 2023
With
C.O. 2163 of 2023

Panihati Unnoyan Trust
Vs.
Mahua, A branch of SAB Payechir Asar & Anr.

Mr. Sunnay Nandy,
Mr. Anand Jha,
Mr. Subha Pathak

...for the Petitioner.

Both the revisional applications are taken up together as the issues involved are same.

The petitioner prays for expeditious disposal of the Title Suit No.188 of 2017, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Barrackpore.

It is submitted that Misc. case No.135 of 2018 arising out of an application under Order 39, Rule 2A of the Code of Civil Procedure, is also pending.

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

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 parties before its disposal. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Junior Division), 2nd Court at

Barrackpore to dispose of the suit and the misc. case within a period of one year from the next date fixed, upon giving adequate opportunity to the opposite party to contest the same.

The learned court below shall proceed strictly 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 parties, along with a 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.)