

Item No. 68
17.07.2023
Court. No. 19
GB

C.O. 2214 of 2023

Sk. Aysan
Vs.
Sri Nayan Chand Basu & Ors.

Sk. Sahjahan Ali

...for the Petitioner.

The petitioner is the plaintiff in Title Suit No.57 of 2011, which is pending before the learned Civil Judge (Junior Division), 1st Court at Contai, District-Purba Medinipur. The petitioner prays for expeditious disposal of the title suit.

According to the petitioner, an application for local investigation was allowed sometime in 2015 and an advocate commissioner was appointed. No report has yet been filed, although the investigation had been done. The suit is one for declaration and permanent injunction.

Considering the age of the suit, the fact that the report of local investigation has not been submitted since long and the further fact that issues have been framed long ago, 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 suit. 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), 1st Court at Contai,

District-Purba Medinipur to dispose of the suit within a year, 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 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 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.)