

August 2, 2023
Sl. No.84
Court No.19
s.biswas

CO 2237 of 2023

M/s. Shiv Narayan Ram Narayan Company and anr.
vs.
Krishna Kumar Mimani and others

Mr. Shubham Gupta
Mr.Tanmoy Kumar Dey
Ms. Nayonika Chakraborty

... for the petitioners

The plaintiffs/petitioners pray for expeditious disposal of Title Suit No.92 of 2020, which is pending before the learned Judge-in-Charge, 12th Bench, City Civil Court, Calcutta. It appears that applications under Order 39 Rules 1 and 2, under Order 39 Rule 4 as also under Order 6 Rule 17 of the Code of Civil Procedure are pending disposal.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the pending suit as also the applications, on an urgent basis.

This court has neither gone into the merits of the applications nor into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending applications within six months from

date, upon allowing the contesting parties to file their respective written objections, if not already filed. The petitioners will be at liberty to file a put up petition before the learned court below, along with the server copy of this order, praying for preponment of the date for hearing of the applications. Before such application is filed, the same shall be served upon the opposite parties. After disposal of the application, the learned court below will make an endeavour to dispose of the suit within a year after disposal of the applications, without granting unnecessary adjournments to either of the parties. The learned court below shall proceed strictly in accordance with law and independently.

Petitioners are directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)