

19.07.2023
Court No.19
Item no.89
CP

C.O. No. 2249 of 2023
Shivsubh Complex Private Limited
Vs.
Arindam Ghosh

Mr. Sanjoy Bose
Mr. Priyankar Basu Mallick
...for the Petitioner.

The petitioner is the defendant in Title Suit No. 114 of 2019, which is pending before the learned Judge City Civil Court at Calcutta, XIth Bench. The petitioner prays for expeditious disposal of the said Title Suit.

It is submitted that an application for temporary injunction and the application for vacating and/or variation or modification of the order of ad interim injunction are pending since long.

The prayer of the petitioner 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.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending applications within a period of two months from the next date fixed, upon granting adequate opportunity to the parties to contest the

same. Thereafter, the suit shall proceed and be disposed of within a year from the disposal of the applications.

This court has not expressed any opinion on the merits of the pending applications and also on the merits of 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.)