

August 29, 2023
Sl. No.25
Court No.19
s.biswas

CO 2250 of 2023

Sushil Kumar Mondal
vs.
Jagadhatri Naskar and others

Mr. Surya Prasad Chattopadhyay
Mr. Mohan Lal Banerjee
Mr. Ankit Chatterjee

... for the petitioner

Mr. Sounak Bhattacharya
Mr. Sounak Mondal
Mr. Anirban Saha Ray
Mr. Abhirup Halder

... for the opposite parties

The petitioner is the defendant in the Title Suit No.42 of 1990, which is pending before the learned Civil Judge (Senior Division), 1st Court, Baruipur, South 24 Parganas. The petitioner has challenged an order allowing amendment of the plaint.

Although this court is not inclined to decide the correctness of the order impugned, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the suit, on an urgent basis.

Hence, amended plaint, if not filed, will be filed within two weeks from date. Additional written statement to the amended plaint will be filed within two weeks thereafter.

This court has not gone into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. The prayer is innocuous.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending suit within a period of six months from the completion of the pleadings, without granting unnecessary adjournments to either of the parties. The learned court below shall proceed strictly in accordance with law and independently.

All the issues including the issue of maintainability of the suit shall be decided at the trial.

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.)