

27.07.2023
Court No. 19
Item No.142
CP

C.O. 2288 of 2023
Asha Bansal & ors.
Vs.
Giriwar Kumar Agarwal

Ms. Shreya Choudhary
...for the Petitioners.

The petitioners are the plaintiffs in Ejectment Suit No. 39 of 2022, which is pending before the learned Judge, 12th Bench, City Civil Court at Calcutta. The petitioners pray for expeditious disposal of the application filed under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 and also for expeditious disposal of the suit.

The prayer of the petitioners 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. Hence, there is no requirement for service of prior notice upon the opposite party.

The revisional application is disposed of with a direction upon learned court below to dispose of the pending application filed under Section 7(2) of the West Bengal Premises Tenancy Act, 1997, within a period of three months from the next date fixed, upon granting adequate opportunity to the parties to

contest the same. Thereafter, the suit shall be disposed of within the following one year.

This court has not expressed any opinion on the merits of the application as also 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.)