

13.10.2023
Sl. No.52(DL)
srm

C.O. No. 2303 of 2023

Sri Sanjib Narayan Lahiri & Ors.

Versus

Navyug Residency Private Limited

Ms. Hashnuhana Chakraborty,
Mr. Suvodeep Chakraborty

...for the Petitioners.

The petitioners are the plaintiffs in Title Suit No.85/2022(R), which is pending before the learned Civil Judge (Senior Division), 8th Court at Alipore, South 24-Parganas.

The petitioners submit that two applications; one for injunction and other for local investigation are pending.

The petitioners pray for expeditious disposal of pending applications along with suit.

Considering the submissions, the Court is of the view that 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.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to

dispose of the applications within a period of three months from the next date fixed, independently and strictly in accordance with law, upon granting adequate opportunity to the respective parties to contest the applications. Thereafter, the court shall proceed with the hearing of the suit and dispose of the same within a period of one year from the date of disposal of the applications mandatorily. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the applications nor gone into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite party within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)