

Item No. 128
25.07.2023
Court. No. 19
GB

C.O. 2314 of 2023

Sri Haradhan Saha
Vs.
Dhanapati Saha & Ors.

Mr. Chittapriya Ghosh,
Mr. Kuntal Roy

...for the Petitioner.

The petitioner is the plaintiff in Partition Suit No.80 of 2018, which is pending before the learned Civil Judge (Senior Division), Kandi, Murshidabad.

It is submitted that the said suit has been pending since long. It is also submitted that one of the co-sharers died and the heirs have already been substituted. No further applications are pending.

Considering the age of the suit, this Court is of the view that the prayer of the petitioner is reasonable.

This Court has not expressed any opinion on the merits of the suit. An order of expeditious disposal enures to the benefit of all the parties and hence this revisional application need not be served upon the opposite parties before its disposal. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Senior Division), Kandi, Murshidabad to make all endeavour to pass a preliminary decree within a year. Thereafter, the entire suit shall be disposed of within a period of six months after passing of the preliminary decree.

The learned court below shall proceed in accordance with law and independently, without granting unnecessary adjournments to either of the parties.

Accordingly, the revisional application is disposed of.

Petitioner is directed to serve a copy of the revisional application upon the opposite parties, along with the server copy of this order.

However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)