

August 28, 2023
Sl. No.38
Court No.19
s.biswas

CO 2319 of 2023

Tapan Kumar Biswas and another
vs.
Smt. Pratima Dey and others

Mr. Biswarup Biswas

... for the petitioner

The petitioners are the defendants in Title Appeal No.33 of 2018, which is pending before the learned Additional District Judge, 5th Court, Krishnagar, Nadia. It is submitted that the title appeal had been kept for hearing on various dates, but the hearing could not be held as the presiding officer was busy. The petitioners seek expeditious disposal of the title appeal.

Considering the age of the appeal and as the appeal had been fixed for hearing on more than 10 occasions, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the pending appeal, on an urgent basis.

This court has not gone into the merits of the appeal. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending appeal within a period of six months

from the next date fixed, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

Petitioners are directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

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.)