

Item No. 31
29.08.2023
Court. No. 19
GB

C.O. 2320 of 2023

Sri Dilip Sen
Vs.
Nani Saha @ Roy & Anr.

*Mr. Kanak Kiran Bandyopadhyay,
Mr. Suvranil Chakraborty,
Ms. Susmita Das*

...for the Petitioner.

The petitioner is the plaintiff in Title Suit No.508 of 2022, which is pending before the learned Judge, 13th Bench, City Civil Court at Calcutta. The petitioner prays for expeditious disposal of the title suit.

It is submitted that several applications filed by either party, are pending. Their objections to the respective applications have been filed by the parties.

According to the petitioner, an application for repair and the application for temporary injunction have been filed by the petitioner and the defendants have filed an application for local inspection as also an application under Section 151 of the Code of Civil Procedure.

This Court has neither expressed any opinion on the merits of the suit nor on the merits of the applications. 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 Judge, 13th Bench, City Civil Court at Calcutta to dispose of application for repair within a month from the

next date fixed, upon giving adequate opportunity to the opposite party to contest the same. The other three applications will be decided within a period of three months from the disposal of the application for repair. The suit shall be disposed of within a year thereafter.

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 a 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.)