

24.07.2023
Court No. 19
Item 134
CP

C.O. 2329 of 2023

Maloy Kundu @ Moloy Kundu
Vs.
Naresh Saha

Mr. Satyam Mukherjee

....for the petitioner.

The petitioner is the defendant in Title Suit No. 442 of 2021, which is pending before the learned civil Judge (Junior Division), 1st Court at Barasat, North 24 Parganas. The petitioner prays for expeditious disposal of the said Title Suit.

It appears that at least three applications are pending before the learned court below.

The prayer of the petitioner 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 and, 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 applications within a period of six months from the next date fixed. The respective parties shall be allowed to file written objections to the applications and 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 pending applications 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.)