

Item No. 51
31.07.2023
Court. No. 19
GB

C.O. 2410 of 2023

Sri Amlan Kanti Das
Vs.
Kaustav Kanti Das & Ors.

Mr. Animesh Paul,
Ms. Haarikaa Rajdev,
Ms. Marie Kundu

...for the Petitioner.

The petitioner is the plaintiff in Title Suit No.32 of 2006, which is pending before the learned Civil Judge (Senior Division), 2nd Court at Contai, District – Purba Medinipur. The petitioner prays for expeditious disposal of the said suit.

It is submitted that the suit is one for partition. Preliminary decree was pronounced sometime in 2013 but the final decree is yet to be passed. It is also submitted that the evidence of partition commissioner has been going on for the past two years.

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), 2nd Court at Contai, District – Purba Medinipur to dispose of the suit within a

period of six months from the next date fixed, upon giving adequate opportunity to the opposite parties to contest the same.

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.)