

Item No. 146
27.07.2023
Court. No. 19
GB

C.O. 2430 of 2023

Sri Tapan Sadhukhan & Anr.
Vs.
Sri Phalguni Dey & Ors.

Mr. Srinjoy Das

...for the Petitioner.

The petitioners are the plaintiffs in Title Suit No.123 of 2023, which is pending before the learned Civil Judge (Senior Division), 3rd Court at Barasat, District –24 Parganas (North). The petitioners pray for expeditious disposal of an application filed under Section 151 of the Code of Civil Procedure.

This Court does not express any opinion on the merits of the contention of the said application under Section 151 of the Code of Civil Procedure as also 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), 3rd Court at Barasat, District –24 Parganas (North) to dispose of the application within a month from the next date fixed, upon giving adequate opportunity to the opposite party to contest the same by filing a written objection, if not already filed.

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.

Petitioners are 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.)