

11.12.2023
Court No. 19
Item no. 261
CP

C.O. No. 2437 of 2023

Sri Sabyasachi Banerjee
Vs.
Sri Rhien Biswas & Ors.

Mr. Satyabrata Chakraborty
Ms. Rituparna Ghosh
Mr. Sourav Sardar

.....for the petitioner.

The petitioner is the plaintiff in Title Suit No. 1147 of 2017 which is pending before the learned Civil Judge (Junior Division) 1st Court, at Alipore. The petitioner submits that an application filed by the defendants is pending disposal since long. It is also submitted that the application for injunction is pending final disposal as well.

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. Hence, there is no requirement for service of prior notice upon the opposite parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending applications within four months from the next date fixed, as per the seriality they deserve. Adequate opportunity shall be granted to the parties

to contest the same. On the outcome of the applications, the suit should be expedited and decided on an urgent basis.

This court has not expressed any opinion on the merits of the applications. 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 parties and/or the learned advocate contesting the matter on behalf of the opposite parties 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.)