

31.08.2023
Sl. No.39(DL)
srm

C.O. No. 2445 of 2023

Ajita Garai & Anr.

Versus

Supriti Dey

Mr. Ashim Kumar Roy,
Mr. Ashok Kumar Roy,
Mr. Anirban Roy,
Mr. Debjit Basu

...for the Petitioners.

The petitioners pray for expeditious disposal of Title Suit No.589 of 2021 along with an application under Order XXII Rule 6 of the Code of Civil Procedure. The proceedings are pending before the learned Civil Judge (Senior Division), 7th Court at Alipore, South 24-Parganas.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite party is not required. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to dispose of the application within a period of two months from the next date fixed, independently and strictly in accordance with law, upon granting opportunity to file written objection

to the said application, if not already filed. Thereafter, the court shall proceed with the suit in accordance with law on the outcome of the application and dispose of the same expeditiously.

It is made clear that this order of the Court shall not be construed as an observation on the claim of the petitioners for a judgment on admission. The learned court below shall proceed independently and in accordance with law by applying the principles laid down by the Hon'ble Apex Court with regard to passing of judgments on admission.

This Court has neither gone into the merits of the application nor gone into the merits of the suit.

A copy of the revisional application, along with a server copy of this order, be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)