

04.10.2023
Court No. 19
Item no.45
CP

C.O. No. 2464 of 2023

Smt. Kakali Hazra
Vs.
Smt. Nihar Bala Hazra

Mr. Bhagbat Chaudhuri

.....for the petitioner.

The petitioner prays for expeditious disposal of the Title Suit No. 23 of 2001 along with pending applications, which are pending before the learned Civil Judge (Senior Division), 3rd Court, Howrah.

It is submitted the suit is for partition. Preliminary decree was passed. A Commission was held. The Commissioner's report is on record.

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 party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending applications within two months from the next date fixed. Thereafter, the final decree will be passed within six months from the disposal of the pending applications, depending on the outcome of

the applications. Adequate opportunity shall be granted to the parties to contest the proceeding.

This court has not expressed any opinion either on the merits of the applications or 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 advocate 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.)