

11.08.2023
Court No. 19
Item No.112
CP

C.O. 2531 of 2023

Sri Chaitanya Chandra De alias Chaitanya
Charan Dey alias Chaitanya Dey
Vs.

Smt. Angur Makhal & ors.

Mr. Purbangshu Chandra Mitra
Ms. Piyali Mitra

...for the petitioners.

The petitioner is the defendant in Title Suit No. 242 of 2003 and the respondent no. 2 in Title Appeal No. 62 of 2019. The petitioner prays for expeditious disposal of the said Title Appeal. The Title Appeal is pending before the learned Judge, Fast Track 1st Court, Alipore.

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 and 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 Title Appeal within a period of six months from the next date fixed, upon granting adequate opportunity to the parties to contest the same.

This court has not expressed any opinion on the merits of the appeal. 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.)