

25.08.2023
Sl. No.31(DL)
srm

C.O. No. 2547 of 2023
M/s. Novel Developers
Versus
Sri Sourav Kumar Mukherjee

Mr. Kajal Ray,
Mr. Suman Nandi

...for the Petitioner.

The petitioner is the plaintiff in Title Suit No.437 of 2021, which is pending before the learned Civil Judge (Junior Division), 1st Court, Serampore, Hooghly.

According to the petitioner, an application under Order XXXIX Rule 7 of the Code of Civil Procedure is pending.

The petitioner prays for expeditious disposal of the application as also the suit.

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 adequate opportunity to the parties to contest the same. Thereafter, the court shall proceed with the hearing of the suit and dispose of the same within a period of one year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

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

A copy of the revisional application, along with a server copy of this order, be served upon the opposite party 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.)