

August 25, 2023
Sl. No.33
Court No.19
s.biswas

CO 2558 of 2023

Shri Ramkrishna Sasmal
vs.
The State of West Bengal and others

Mr. Soumon Nanda

... for the petitioner

Liberty is granted to the petitioner to correct the cause title and date of filing of injunction petition, here and now.

The petitioner prays for expeditious disposal of Title Suit No.10003 of 2018, which is pending before the learned Civil Judge (Senior Division), 1st Court, Contai, Purba Medinipur. It is submitted that an application under Section 10 of the Code of Civil Procedure filed by the defendants and the application for injunction under Order 39 Rules 1 and 2 of the Code of Civil Procedure are pending.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the pending applications as also the suit, on an urgent basis.

This court has neither gone into the merits of the applications nor into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending applications within a period of four months from the next date fixed, and thereafter proceed with the suit and dispose of the same within a year after disposal of the applications, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings at every stage. The learned court below shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)