

August 24, 2023
Sl. No.52
Court No.19
s.biswas

CO 2571 of 2023

Ayub Ali @ Munna
vs.
Md. Julfikkar Ali and another

Md. Younush Mondal

... for the petitioner

The petitioner is the defendant in the Title Suit No.503 of 2021, which is pending before the learned Civil Judge (Junior Division), Barasat, North 24 Parganas. The petitioner prays for expeditious disposal of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure.

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 application, on an urgent basis.

This court has not gone into the merits of the application. 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 and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending application mandatorily within a month from the next date fixed, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the

opposite parties to contest the proceedings. 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. The petitioner is also directed to communicate this order to the learned court below.

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.)