

August 24, 2023
Sl. No.54
Court No.19
s.biswas

CO 2593 of 2023

Sri Sanat Kumar Dey
vs.
Sri Pappu Gond

Mr. T. Ganguly
Mr. A. Basu

... for the petitioner

The petitioner seeks expeditious disposal of Title Suit No.344 of 2019, which is pending before the learned Civil Judge (Junior Division), 1st Court, Sealdah. According to the petitioner, an application under Order 39 Rules 1 and 2 of the Code of Civil Procedure filed by the defendant, is pending. The petitioner has already filed an objection to the said application.

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 as also the suit, on an urgent basis.

This court has neither gone into the merits of the application 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 party, 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 application within a month from the next date fixed, and thereafter the learned court below shall proceed with the suit and dispose of the same within a year after disposal of the application mandatorily, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite party 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 party.

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.)