

Item No.49
11.10.2023
Court. No. 19
GB

C.O. 2596 of 2023

Sabita Mali
Vs.
Smt. Lilabati Gupta & Ors.

Mr. Mizanur Rahaman

...for the Petitioner.

By this application, the petitioner/defendant no.18 seeks expeditious disposal of Title Suit No.316 of 2018, which is pending before the learned Civil Judge (Senior Division), 1st Court, Hooghly at Chinsurah.

It appears that three interlocutory applications are pending. Unless the said applications are disposed of, the prayer of the petitioner cannot be allowed.

Considering the submissions, the Court is of the view that 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 applications within a period of six months from the next date fixed. Upon disposal of the applications an attempt shall be made by the learned court below to dispose of the suit expeditiously. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the suit and the applications. 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.

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.)