

05.10.2023
Court No. 19
Item no.108
CP

CO/2611/2023

ABDUR RASHID
VS
SADLICHAK HIGH SCHOOL (HS),
REPRESENTED BY HEAD MASTER NAMED
MD. SETABUR RAHAMAN

Mr. Musharraf Alam Sk.
Ms. Susmita Ghorai

... for the Petitioner.

The petitioner prays for expeditious disposal of the Partition Suit No. 181 of 2019, which is pending before the learned Civil Judge (Senior Division), Chanchal along with pending applications.

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. Hence, there is no requirement for service of prior notice upon the opposite party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending applications within two months from the next date fixed. Thereafter, the learned court shall make a sincere endeavour to pass the preliminary decree within one year from the disposal of the pending applications. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the applications and the suit. 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 party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned court below, within a week.

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.)