

30.08.2023
Sl. No.16(DL)
srm

C.O. No. 2678 of 2023

Smt. Pratima Sarkar

Versus

Sri Goutam Sarkar

Ms. Kakali Dutta,
Mr. Subhajit Das

...for the Petitioner.

The petitioner prays for expeditious disposal Title Suit No. 318 of 2020, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Barasat, North 24-Parganas.

It is submitted that an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure is pending.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite party is not required. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to dispose of the application within a period of three months from the next date fixed, independently and strictly in accordance with law, upon granting adequate opportunity to the parties to contest the same and also to file written

objection. Thereafter, the court shall proceed with the suit and dispose of the same expeditiously, preferably within a year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the suit nor into the merits of application.

A copy of the revisional application, along with a server copy of this order, be served upon the opposite party within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)