

28.08.2023  
Sl. No.43(DL)  
srm

**C.O. No. 2715 of 2023**  
**Narendra Kumar Sharma & Anr.**  
**Versus**  
**Sri Manoj Kumar Singh & Ors.**

Mrs. Pampa Dey Dhabal

...for the Petitioners.

The petitioners are the plaintiffs in Title Suit No.1746 of 2012, which is pending before the learned Judge, 8<sup>th</sup> Bench, City Civil Court at Calcutta.

It is submitted that an application under order VI Rule 17 of the Code of Civil Procedure is also pending. It is submitted that the said application has been pending since, 2021. It appears that the learned Presiding Officer was on transfer.

The petitioners pray for expeditious disposal of the application as also the suit.

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 parties 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 two months from the next date fixed, independently and strictly in accordance with law, upon granting adequate opportunity to the parties to contest the same. Thereafter, the court shall proceed with the suit and pass the preliminary decree within a period of one 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 parties 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.)**