

Item No.58
13.10.2023
Court. No. 19
GB

C.O. 2732 of 2023

Sri Shambhu Shaw & Anr.
Vs.
Sri Ramesh Kumar Das

*Mr. Susenjit Barik,
Mr. Sukdeb Sarkar,
Ms. Sutapa Mukhopadhyay,
Mr. Mrinal Saha*

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of Title Suit No.243 of 2016, which is pending before the learned Civil Judge (Junior Division), 1st Court at Hooghly Sadar.

According to the petitioners, an application for local investigation was allowed. The investigation was completed but the report is yet to be filed.

Considering the submissions, the Court is of the view that the prayer of the petitioners 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 party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the title suit within a year from the next date fixed. The court shall ensure that the report of the local investigation is filed and thereafter will proceed with the hearing of the suit, in accordance with law. 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. 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.

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.)