

08.09.2023
Sl. No.173(DL)
srm

C.O. No. 2766 of 2023
Smt. Sulekha Mitra (Sarkar)
Versus
Sri Ashutosh Sarkar & Ors.

Mr. Suchindra Bhattacharjee

...for the Petitioner.

The petitioner is the defendant No.2 in Title Suit No.610 of 2015, which is pending before the learned Civil Judge (Senior Division), 1st Court at Barasat, North 24-Parganas.

It is submitted that an application for injunction is pending before the learned court below and the ad interim injunction is being extended from time to time.

The petitioner seeks expeditious disposal of the application as also the suit.

Considering the age of the suit and the submissions made by the petitioner, this Court is of the view that justice would be sub-served if the application and the title suit are disposed of expeditiously.

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 allowing all the parties to contest the proceeding. Thereafter, the court shall proceed with the suit in accordance with law and dispose of the same 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 application nor gone into the merits of the suit.

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.)