

August 31, 2023
Sl. No.51
Court No.19
s.biswas

CO 2782 of 2023

Arijeet Doss Mullick

vs.

Yogendra Prasad Gupta and others

Mr. Jibantaraj Dan Roy
Mr. Nishant Choudhary
Mr. Dwaipayan Basu Mallick
Ms. Sweta Chakraborty

... for the petitioner

The petitioner is the landlord in Title Suit No.385 of 2019, which is pending before the learned Judge, 11th Bench, City Civil Court at Calcutta. It is submitted that an application under Order 12 Rule 6 of the Code of Civil Procedure is pending. The petitioner prays for expeditious disposal of the pending application.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the pending application, on an urgent basis.

This court has not gone into the merits of the application. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending application within a period of three months from the next date fixed, without granting unnecessary adjournments to either of the parties

and upon granting adequate opportunity to the opposite party no.1 to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently. This order shall not be construed as an opinion of this court with regard to the contentions of the petitioner that admissions in the written statement would justify passing of a decree of eviction.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)