

Item No.50
11.10.2023
Court. No. 19
GB

C.O. 2790 of 2023

Aloke Dey
Vs.
IDFC First Bank Limited & Ors.

Mr. Prasun Banerjee

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure which has been filed in connection with Title Suit No.543 of 2022, pending before the learned Civil Judge (Junior Division), 2nd Court, at Sealdah.

Considering the submissions, the Court is of the view that the prayer of the petitioner 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 parties.

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. 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 and the application. 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 parties and/or

the learned advocate contesting the matter on behalf of the opposite parties 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.)