

September 5, 2023
Sl. No.172
Court No.19
s.biswas

CO 2799 of 2023

Tapas Kumar Maity and another
vs.
Shaila Motors Private Limited and others

Mr. Ratul Das
Mr. Samriddha Sen
Mr. Ashutosh Singh
Mr. Rahul Sharma

... for the petitioners

The petitioners are the defendants in Title Suit No.140 of 2013 and Title Suit No.178 of 2013, which are pending before the learned Civil Judge (Senior Division), 2nd Court, Tamluk, Purba Medinipur. It is submitted that applications under Order 7 Rule 11 of the Code of Civil Procedure are pending in both the suits. The petitioners pray for expeditious disposal of the pending application. The suits are being heard analogously.

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 prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of

the pending application within a period of two months from the next date fixed, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

Petitioners are 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.)