

21.09.2023
Court No. 19
Item no.211
CP

CO/2803/2023

DEWANTI DEBI
VS
SRIMATYA USHA DEBI AND ORS.

Mr. K. R. Bhattacharyya
Mr. Janardan Mondal

.....for the petitioner.

The petitioner is the appellant in Title Appeal No. 01 of 2013, which is pending before the learned Additional District Judge, 1st Court, Burdwan. The petitioner prays for expeditious disposal of an application filed under Order 41 Rule 27 of the Code of Civil Procedure.

It has been contended that written objection has been filed against the said application by the plaintiff/respondent.

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. 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 month 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 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, within a week.

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.)