

Item No.61
13.10.2023
Court. No. 19
GB

C.O. 2818 of 2023

Sri Amal Mudi
Vs.
Sri Shyamal Mudi & Anr.

*Mr. Mahammad Mahmud,
Mr. M.S. Mollah,
Mr. Neyaz Ahmed*

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of Title Appeal No.64 of 2018, which is pending before the learned Additional District Judge, 5th Court at Howrah.

It is submitted that when arguments were going on, the title appeal was transferred to the court of the learned Additional District Judge, 5th Court at Howrah.

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. 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 title appeal within a period of three 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. 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.)