

August 31, 2023
Sl. No.52
Court No.19
s.biswas

CO 2832 of 2023

Smt. Gauribala Paul and others
vs.
Sri Kashinath Paul and others

Mr. P. Banerjee
Mr. Tapan Guchhait

... for the petitioners

The petitioners are the plaintiffs in Title Suit No.88 of 2011, which is pending before the learned Civil Judge (Junior Division), 3rd Court, Serampore, Hooghly. It is submitted that an application under Order 1 Rule 10 of the Code of Civil Procedure for additional of party is also pending. The petitioners pray for expeditious disposal of the title suit along with the 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 suit as also the application, on an urgent basis.

This court has neither gone into the merits of the application nor into the merits of the suit. 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.

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, upon granting opportunity to the parties to contest the application and file written objection, if not already filed and thereafter the learned court below shall proceed with the suit and dispose of the same within a year after disposal of the application, without granting unnecessary adjournments to either of the parties and. 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.)