

September 5, 2023
Sl. No.174
Court No.19
s.biswas

CO 2843 of 2023

Sultan Ahmed
vs.
Mahaboob Alam and others

Mr. Bratin Kumar ey
Mr. Joydeep Das
Ms. Mahasweta Pramanik

... for the petitioner

The petitioner prays for expeditious disposal of the Ejectment Execution Case No.8 of 2016. It is submitted that in connection with the said execution case, Misc. Case No.38 of 2016 and Misc. Case No.2 of 2017 are pending. The petitioner prays for expeditious disposal of both the miscellaneous cases.

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 miscellaneous cases as also the execution case, on an urgent basis.

This court has not gone into the merits of either the miscellaneous cases or the execution case. 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 Misc. Case No.38 of 2016 within a period of three

months from the next date fixed, thereafter the learned court below shall proceed with the execution case in accordance with law on the basis of the outcome of the Misc. Case No.38 of 2016 and dispose of the same along with Misc Case No.2 of 2017, within a period of six months after adjudication of the Misc. Case No.38 of 2016, 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.

Petitioner is 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.)