

Item No.190
15.09.2023
Court. No. 19
GB

C.O. 2877 of 2023

Sri Subir Kumar Bose & Anr.
Vs.
Sri Bistu Biswas

Mr. Arnab Roy,
Ms. Sayani Ahmed

...for the Petitioners.

By this application, the petitioners/plaintiffs seek expeditious disposal of Ejectment Suit No.56 of 2015, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Barrackpore.

According to the plaintiffs, the defence of the tenant has been struck off.

Considering the age of the suit, the Court is of the view that the prayer of the petitioners 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 party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the suit within a year from the next date fixed. Adequate opportunity shall be granted to the opposite party to contest the same.

This court has not gone into the correctness of the submissions and 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 party and/or the learned advocate contesting the matter on behalf of the opposite party 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.)