

05.10.2023
Court No. 19
Item no.109
CP

CO/2878/2023

JOYDEB DAS AND ANR
VS
BINOD BISWAS

Mr. Nemaï Chandra Betal

... for the Petitioners.

The petitioners pray for expeditious disposal of the application for injunction which is pending in connection with Title Suit No. 768 of 2022, which is pending before the learned Civil Judge (Junior Division), 1st Court, Barasat.

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 application within two 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 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 party and/or the learned advocate contesting the matter on behalf of the opposite party 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.)