

04.09.2023
Sl. No.48(ML)
srm

C.O. No. 2924 of 2023
Sri Kishore Kumar Lala
Versus
Sri Dipak Kumar Lala & Anr.

Mrs. Usha Maity,
Mr. Sukanta Das,
Ms. A. Lahiri

...for the Petitioner.

The petitioner prays for expeditious disposal of Title Execution Case No.02 of 2023, which is pending before the learned Civil Judge (Senior Division), 2nd Court, Contai, Purba Medinipur.

It is submitted that no other proceeding is pending and there is no subsisting order from a superior court staying the execution case. It is further submitted that apart from two defendants, all other parties are willing to proceed with the partition, as per the final decree.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties is not required. The prayer is innocuous.

Under such circumstances, this revisional application is disposed of with a direction upon the learned court below to

dispose of the title execution case within a period of six months from the date of communication of this order, independently and strictly in accordance with law, upon giving opportunity to all the parties to contest the proceeding, provided no orders have been passed by a competent court in respect of the execution proceeding.

This Court has not gone into the merits of the title execution case.

A copy of the revisional application, along with a server copy of this order, be served upon the learned Advocate appearing on behalf of the opposite parties in the learned court below within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)