

July 20, 2023
Sl. No.100
Court No.19
s.biswas

CO 2832 of 2022

Lal Behari Choudhary
vs.
Dinesh Singh and another

Mr. Siva Prasad Ghose

... for the petitioner

The petitioner is the plaintiff in Title Suit No.227 of 2014, which is pending before the learned Civil Judge (Junior Division), 2nd Court, Barrackpore, North 24 Parganas. It is submitted that an amendment application has been filed under Order 6 Rule 17 of the Code of Civil Procedure in order to bring on record the death of the widow of the original tenant. The petitioner prays for expeditious disposal of the pending application as also the suit.

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 said pending application as also the suit, 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 and thereafter make an endeavour to proceed with the suit and dispose of the same within a period of six months after disposal of the application, 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.)