

25.09.2023
Sl. No.35(DL)
srm

C.O. No. 2958 of 2023

Arati Dey

Versus

Smt. Mitali Sarkar & Anr.

Mr. Ranjit Kumar Ray,
Ms. Ekta Shaw

...for the Petitioner.

The petitioner is aggrieved by the delay in disposal of Title Suit No.72 of 2017, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Baruipur, South 24-Parganas.

It is submitted that the learned court below has failed to proceed with the suit in the manner it deserves. It is further submitted that after filing of the written statement, no further progress had taken place.

The petitioner prays for expeditious disposal of the title suit.

Considering the submissions, the Court is of the view that the prayer of the petitioner 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 parties.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to dispose of the title suit within a period of two months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties 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.)