

Item No.286
20.12.2023
Court. No. 19
GB

C.O. 2977 of 2023

Mahesh Choudhary
Vs.
Alok Kumar Roy & Anr.

Ms. Anyasha Das

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of the Miscellaneous Case No.2 of 2020 filed in connection with Ejectment Suit No.69 of 2013, which is pending before the learned Civil Judge (Junior Division), Additional Court at Sealdah.

It is submitted that the misc. case is at the stage of evidence.

Considering the submissions, this 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.

The revisional application is disposed of with a direction upon the learned court below, to dispose of the misc. case within a period of four months from the next date fixed. Adequate opportunity shall be given to the parties to contest the same.

This court has not expressed any opinion on the merits of the case. 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 parties and/or the learned advocate contesting the matter on behalf of the opposite parties 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.)