

D/L
Item No. 52
12.07.2023
KOLE

CO 2877 of 2022

Sk. Mohammad Sarfaraz
-Vs.-
Mannan Molla

Mr. Bhagbat Chowdhury,
Mr. Sk. Nizamuddin,
Mr. B. Gupta,

...for the petitioner.

The petitioner prays for expeditious disposal of the Title Suit No. 136 of 2021 pending before the Learned Civil Judge (Jr. Division), 1st Court, Arambag, Hooghly. It is submitted that the defendant had appeared in the suit, but had been praying for continuos adjournments. In such circumstances, the petitioner prays for expeditious disposal of the suit.

This revisional application is disposed of with the direction upon the Learned Court below to dispose of the Title Suit No. 136 of 2021 within a year from the next date fixed, strictly in accordance and independently. The Court below shall take necessary steps following the principles of natural justice.

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 and, hence, there is no requirement for service of prior notice upon the opposite party.

This court has not expressed any opinion on the merits of the said suit. 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 advocates 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.)