

13.09.2023
Court No. 19
Item no.234
CP

C.O. No. 2988 of 2023

Spandan Chatterjee (Chakraborty)
Vs.
Manik Mondal & ors.

Mr. Saurav Bose

.....for the petitioner.

The petitioner prays for expeditious disposal of Title Suit No. 222 of 2020, which is pending before the learned Civil Judge (Senior Division) at Basirhat.

It is submitted that the suit is for recovery of possession. The petitioner submits that there has been inordinate delay on the part of the commissioner to file the report. It is also submitted that owing to the demise of one of the defendants, there has been some delay.

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 parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the suit along with all pending applications, if any, within a year from the next date fixed, upon granting

adequate opportunity to the parties to contest the same.

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