

31.08.2023
Court No. 19
Item No.59
CP

C.O. 2991 of 2023

Sri Manab Bose
Vs.
Sri Karunasagar Sarkar

Ms. Soma Kar Ghosh
Mr. Arabinda Pathak

.....for the petitioner.

The petitioner prays for expeditious disposal of the Title Suit No. 84 of 2016, which is pending before the learned Civil Judge (Senior Division) at Alipore. It is submitted that an application for vacating the order by which the suit was fixed for ex parte hearing, is pending.

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.

The revisional application is disposed of with a direction upon the learned court below to dispose of the application within a month from the next date fixed, upon granting adequate opportunity to the parties to contest the same. On the basis of the outcome of the application, the suit shall proceed in accordance with law and be disposed of within a period of eight months thereafter.

This court has not expressed any opinion on the merits of the application 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 party and/or the learned advocate 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.)