

Item No.191
15.09.2023
Court. No. 19
GB

C.O. 3002 of 2023

Doctors Association for Medical Aid (U.K.) & Ors.
Vs.
Techno India Technology Limited & Anr.

Mr. Uttiyo Mallick,
Ms. Payal Saha

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of Title Suit No.936 of 2017 along with three other interlocutory applications, which are pending before the learned Civil Judge (Senior Division), 2nd Court at Barasat.

One of such applications is under Order 7 Rule 11 of the Code of Civil Procedure, filed by the defendant. The second one is under Order 11 Rule 18 of the Code of Civil Procedure, for disclosure of documents relied upon by the plaintiffs, filed by the defendant. Another application is under Order 39 Rules 1 and 2 of the Code of Civil Procedure, filed by the plaintiffs.

The prayer of the petitioners 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 all the applications according to the seriality that the applications deserve within a period of four months from the next date

fixed. Upon disposal of the applications, the suit shall be disposed of within a year thereafter. Adequate opportunity shall be granted to the opposite parties to contest the same by filing written objection.

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.)