

13.09.2023
Court No. 19
Item no.236
CP

C.O. No. 2996 of 2023

Spandan Chatterjee (Chakraborty) & ors.
Vs.
Biswanath Chatterjee

Mr. Saurav Bose

.....for the petitioners.

The petitioners pray for expeditious disposal of Title Suit No. 331 of 2017, which is pending before the learned Civil Judge (Senior Division) at Basirhat.

It is submitted that an application for amendment of the plaint is pending.

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 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 suit along with the pending application, 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 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.)