

Item No.188
08.09.2023
Court. No. 19
GB

C.O. 3117 of 2023

Asha Bansal & Ors.
Vs.
Babita Sharma & Anr.

Mr. Saptarshi Bhattacharjee,
Mr. Subhankar Chakrabroty

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of Ejectment Suit No.28 of 2022, which is pending before the learned Judge, 12th Bench, City Civil Court at Calcutta.

It is submitted that an application for local inspection 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 parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the application for local inspection, within two months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

Thereafter, the learned court below shall make sincere endeavour to dispose of the suit within a year from the disposal of the above application.

The other contention of Mr. Bhattacharjee that the learned court below had wrongly passed an order fixing the

hearing of the application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 along with the main suit, cannot be decided in this proceeding.

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 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.)