

13.09.2023
Court No. 19
Item no.240
CP

C.O. No. 3130 of 2023

Mridul Damani
Vs.
Radha Ramannath Tiwari

Ms. Pooja Jewrajka
Mr. Rahul Poddar
Ms. Shrayasi Dhang

.....for the petitioner.

The petitioner prays for expeditious disposal of an application under Order XII Rule 6 of the Code of Civil Procedure filed in connection with Money Suit No. 1849 of 2022, which is pending before the learned Judge, City Civil Court, 3rd Bench at Calcutta.

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 four months from the next date fixed, upon granting adequate opportunity to the parties to contest the same. It is expected that if the court is still vacant then the charge court shall proceed with the hearing.

This court has not expressed any opinion on the merits of the application. 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.)