

December 4, 2023
Sl. No.358
Court No.19
s.biswas

CO 3019 of 2022

Shankar Prasad Roy

vs.

Arsed Ali Sk.

Mr. Habibur Rahaman

Mr. Archishman Singh

Ms. Jasika Alam

... for the petitioner

The petitioner is the defendant in a partition suit being Title Suit No.13 of 2020, which is pending before the learned Civil Judge (Senior Division), 1st Court at Baruipur, South 24 Parganas.

It appears that an ad interim order of status quo was passed on January 9, 2020. The petitioner contends that the said application for injunction has been pending since long, although the petitioner filed his written objection to the same.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said application, on an urgent basis.

This court has not gone into the merits of the application. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite party, would not be necessary. The prayer is innocuous and very reasonable.

It appears that the matter was adjourned time and again on the ground of agitation in the local bar

and/or resolutions of the bar not to pass adverse orders.

The learned court below shall proceed with the hearing of the application and dispose of the same within a period of three months from the date of communication of the order, without granting unnecessary adjournments to the parties and upon ensuring that all the defendants have been served with the notice.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties and/or their learned Advocates appearing in the court below.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)