

13.09.2023
Court No. 19
Item no.241
CP

C.O. No. 3141 of 2023

Sri Rahul Agarwal
Vs.
D. Bhaskar & ors.

Ms. Chandrani Bhattacharya
.....for the petitioner.

The petitioner prays for expeditious disposal of Title Suit No. 69 of 2018 along with J. Misc. Case No. 19 of 2020. The said proceedings are pending before the learned Civil Judge (Junior Division), 2nd Court, Midnapore.

It is submitted that some of the defendants are yet to file the written statement and unnecessary delay is being caused on such account.

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 parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the suit with all pending applications and miscellaneous cases within one year from the date of communication of this order, upon granting adequate opportunity to the parties to contest the same.

This court has not expressed any opinion on the merits of the pending applications as also 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.)