

14.09.2023
Court No. 19
Item no.256
CP

C.O. No. 3159 of 2023

Jai Prakash Sinha
Vs.
Ram Shankar Sinha & ors.

Mr. Rajdeep Bhattacharya
.....for the petitioner.

The petitioner prays for expeditious disposal of O.S. No. 90 of 2019, which is pending before the learned Additional District Judge, 13th Court, Alipore.

It is submitted that the probate application having become contentious, the suit was registered. The suit is at the stage of evidence.

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 within six months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

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