

Item No.225
21.09.2023
Court. No. 19
GB

C.O. 3179 of 2023

Sri Prabhat Kumar Biswas
Vs.
Mrs. Tara Rani Biswas & Ors.

Mr. Shubham Gupta,
Mr. Basab Shaw,
Mr. Avisek Das

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of Original Suit No.1 of 2019, arising out of Act XXXIX L.A. Case No.1 of 2013. An application for grant of letters of administration was filed. The same became contentious. The suit was registered. The suit is pending before the learned Additional District Judge, 2nd Court at Sealdah.

Considering the submissions, this Court is of the view that 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 suit along with all pending applications within a year from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

This court has neither expressed any opinion on the merits of the suit nor on the merits of the applications. 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.

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.)