

13.09.2023
Court No. 19
Item no.243
CP

C.O. No. 3181 of 2023

Anup Mondal & anr.
Vs.
Ratan Chandra Mondal & ors.

Mr. Sounak Bhattacharya
Mr. Sounak Mandal

.....for the petitioners.

The petitioners pray for expeditious disposal of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure filed by the plaintiffs as also the application under Order 39 Rule 4 of the Civil Procedure Code filed by them, both in connection with Title Suit No. 284 of 2023. The applications are pending before the learned Civil Judge (Junior Division), 3rd Court at Baruipur.

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. 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 both the applications within three months from the next date fixed, upon granting adequate opportunity to the parties to contest the same.

This court has not expressed any opinion 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, 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.)