

15.09.2023
Sl. No.195(DL)
srm

C.O. No. 3196 of 2023

State Bank of India

Versus

Cygnat Machining and Engineering Private Limited & Ors.

Mr. Anirban Pramanik,
Mr. Punarban Nath,
Mr. Swankha Subhra Dutta

...for the Petitioner.

The petitioner is the defendant No.4 in Title Suit No.98 of 2022, which is pending before the learned Civil Judge (Senior Division), 4th Court at Alipore.

It is submitted that two applications, one under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure and other under Order XXXIX Rule 4 of the Code of Civil Procedure are pending.

The petitioner prays for expeditious disposal of the title suit along with the applications.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties is not required. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to

dispose of both the applications within a period of two months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, the court shall proceed with the suit in accordance with law and dispose of the same within a period of one year from the date of disposal of the applications. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the suit nor gone into the merits of applications.

A copy of the revisional application, along with a server copy of this order, be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)