

October 16, 2023
Sl. No.65
Court No.19
s.biswas

CO 3207 of 2023

Asit Biswas

vs.

Shri Krishnadhan Das and others

Mr. Sounak Bhattacharya

Mr. Sounak Mandal

Mr. Abhirup Halder

Mr. Anirban Saha Roy

... for the petitioner

The petitioner is the plaintiff no.2, who prays for expeditious disposal of the Title Suit No.81 of 2001 renumbered as Title Suit No.85 of 2017, which is pending before the learned Civil Judge (Senior Division), 2nd Court, Baruipur, South 24 Parganas. It appears that three applications are pending in connection with the said suit as enumerated in paragraph 25 of the revisional application.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said suit as also the applications, on an urgent basis.

This court has neither gone into the merits of the applications nor into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of

the pending applications within a period of three months from the next date fixed. Thereafter, upon disposal of the applications, the learned court below shall proceed with the suit and dispose of the same within a year, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)