

15.09.2023
Sl. No.196(DL)
srm

C.O. No. 3214 of 2023
Sanjay Gupta (Saw) & Ors.
Versus
Kasem Ali Tarafder & Ors.

Mr. Amit Baran Dash,
Ms. Ankana Sarkar

...for the Petitioners.

The petitioners are the defendants in Title Suit No.475 of 2020, which is pending before the learned Civil Judge (Senior Division), 3rd Court at Barasat, District-North 24-Parganas.

The petitioners submit that an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure is pending. The petitioners submit that the learned court below should be directed to dispose of the application for temporary injunction and, thereafter, dispose of the suit expeditiously.

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 the application within a period of three months

from the date of communication of this order. As the date has been fixed on January 11, 2024, the petitioners are granted liberty to file a put up petition annexing this order, upon service of such petition to the opposite parties and pray for pre-ponement of the date of hearing of the application. Thereafter, the suit shall be disposed of within a year from the date of disposal of the application, strictly in accordance with law and independently, without granting unnecessary adjournments to any of the parties.

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

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.)