

11.12.2023
Sl. No.254(DL)
srm

C.O. No. 3101 of 2022

Narayan Patra & Ors.

Versus

Brindaban Pailan

Mr. Sandipan Maity

...for the Petitioners.

The petitioners are the defendants in Title Suit No.85 of 2016, which is pending before the learned Civil Judge (Junior Division), 3rd Court, Baruipur, South 24-Parganas. The petitioners pray for expeditious disposal of the said suit.

It is submitted that no interlocutory application is pending. Issues have already been framed.

Considering the age of the suit and the submission, this Court is of the view that the prayer of the petitioners for early disposal of the suit, 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. Hence, there is no requirement for service of prior notice upon the opposite party.

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

dispose of the suit within a period of one year from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite party 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.)