

September 21, 2023
Sl. No.229
Court No.19
s.biswas

CO 3233 of 2023

Momi Sett and another
vs.
Sri Bharat Jyoti Manna

Mr. Sounak Bhattacharya
Mr. Sumitava Chakraborty
Mr. Abhishek Mukherjee
Mr. Anirban Saha Ray

... for the petitioners

The petitioners seek expeditious disposal of the Title Suit No.207 of 2011 along with the application for amendment of the plaint, pending before the learned Civil Judge (Junior Division), 6th Court, Howrah.

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 application, on an urgent basis.

This court has neither gone into the merits of the application 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 party, 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 application within a period of two months from the next date fixed, without granting unnecessary adjournments to either of the parties

and upon granting adequate opportunity to the opposite party to file written objection, if not already filed, and to contest the proceedings. Upon disposal of the pending applications, the learned court below shall proceed with the suit and dispose of the same within a year. The learned court below shall proceed strictly in accordance with law and independently.

Petitioners are directed to serve a copy of this revisional application along with the server copy of this order upon the opposite party.

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.)