

03.10.2023
Court No. 19
Item no.276
CP

C.O. 3246 of 2023

Satya Garments Private Limited
Vs.
Quantum Vyapaar Private Limited

Mr. Tanmoy Mukherjee

... for the Petitioner.

The petitioner prays for expeditious disposal of the Title Suit No. 25 of 2021, which is pending before the learned Judge, 6th Bench, City Civil Court at Calcutta.

It appears that the suit was fixed for ex parte hearing. An application has been filed by the opposite party/defendant for vacating the order by which the suit was fixed for ex parte hearing.

The prayer of the petitioner 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 party. Hence, there is no requirement for service of prior notice upon the opposite party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the application within a month from the next date fixed. Thereafter, on the fate of the application, the suit shall be disposed of within a year from the disposal of the said application. Adequate

opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the application and the suit. The learned court shall proceed independently and in accordance with law.

A copy of the revisional application along with a server copy of this order be served upon the opposite party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned court below, within a week.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)