

Item No.112
05.10.2023
Court. No. 19
GB

C.O. 3264 of 2023

Amin Rahaman & Ors.

Vs.

Shree Ganeshaya Infra Project Private Limited & Anr.

Mr. Satyam Mukherjee,

Ms. Sayani Ahmed

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of an application under Section 151 of the Code of Civil Procedure as also an application under Order 39 Rule 4 of the Code of Civil Procedure filed in connection with Title Suit No.1209 of 2022, which are pending before the learned Additional Civil Judge (Junior Division) at Barasat.

Considering the submissions, the Court is of the view that the prayer of the petitioners 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 and hence, there is no requirement for service of prior notice upon the opposite parties.

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

This court has not expressed any opinion on the merits of the pending applications. 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 parties and/or the learned advocate contesting the matter on behalf of the opposite parties in the learned court below.

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.)