

Item No.116
05.10.2023
Court. No. 19
GB

C.O. 3405 of 2023

Asha Bansal & Ors.
Vs.
Krishna Devi Jhunhunwala

*Mr. Subhankar Chakraborty,
Mr. Saptarshi Bhattacharjee,
Ms. Ruchira Manna*

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of Ejectment Suit No.42 of 2022 along with all applications, which are pending before the learned Judge, 12th Bench, City Civil Court at Calcutta.

Two applications are pending which are required to be disposed of expeditiously. One such application is under Order 39 Rule 7 of the Code of Civil Procedure and the other one is for fixing the suit for ex parte hearing.

Considering the submissions, this 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 party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending applications within three months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

Upon disposal of the applications, the learned court below shall make sincere endeavour to dispose of the suit within a year.

This court has not expressed any opinion on the merits of the pending applications 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.

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.)