

Item No.67
13.10.2023
Court. No. 19
GB

C.O. 3545 of 2023

Sri Ranjit Das & Anr.
Vs.
Chandan Dey

Mr. Avisek Das

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of the Ejectment Suit No.209 of 2021, which is pending before the learned Judge, 6th Court, Presidency Small Causes Court at Calcutta.

It is submitted that the said Bench is lying vacant. It is further submitted that one application is pending.

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 party.

The revisional application is disposed of with a direction upon the learned court to dispose of the application within a period of two months from the next date fixed. If the presiding officer is not available, the judge in charge shall dispose of the application. On the outcome of the application, the suit shall be expedited and preferably disposed of within a year. 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.

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.)