

October 13, 2023
Sl. No.71
Court No.19
s.biswas

CO 3597 of 2023

Shiv Kumar Sharma and another

vs.

Swapan Kumar Guha Thakurata

Mr. Birendra Kumar Jha

... for the petitioners

The petitioners pray for expeditious disposal of the Title Suit No.140 of 2004, which is pending before the learned Civil Judge (Junior Division), Bidhannagar. It is submitted that on an earlier occasion, a coordinate Bench of this court had directed expeditious disposal of the said application.

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 along with pending applications, on an urgent basis.

This court has neither gone into the merits of the applications 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 applications within two months from the next date fixed. Thereafter, the learned court below shall proceed with the suit and dispose of the same

within a year, upon disposal of the applications, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently. A report shall be filed before the learned Registrar General by the learned court below.

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.)