

Item No.269
11.12.2023
Court. No. 19
GB

C.O. 3692 of 2023

Sri Sekhar Roy

Vs.

Transparency Builders Private Limited & Ors.

Mr. Asis Bhattacharyya,

Mr. B. Mitra

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of the application under Order 7 Rule 11 of the Code of Civil Procedure filed in connection with Title Suit No.518 of 2022, which is pending before the learned Judge, 6th Bench, City Civil Court at Calcutta.

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. 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 application within a period of three months from the next date fixed. Adequate opportunity shall be given to the parties to contest the same. On the outcome of the said application, the suit shall proceed in accordance with law.

This court has neither expressed any opinion on the merits of the pending application nor on the merits of 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 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.)