

19.12.2023
Sl. No.293(DL)
srm

C.O. No. 3731 of 2023

**Sri Sri Durga Devi, represented by Sri Kamal Maity alias
Kamal Krishna Maity & Anr.**

Versus

Sri Bankim Jana & Ors.

Mr. Bhabani Prasad Mondal

...for the Petitioners.

Mr. Gautam Das

...for the Opposite Party Nos.1 & 2.

Affidavit-of-service is taken on record.

The learned Advocate for the opposite party Nos.1 and 2 appears and submits that they have filed their written statement and the same has been accepted by the learned court below.

The petitioners are the plaintiffs who pray for expeditious disposal of Title Suit No.96 of 2012 along with Misc. Case No.48(V) of 2016. The proceedings are pending before the learned Civil Judge (Junior Division) at Kakdwip, South 24-Parganas.

Considering the submission, this Court is of the view that the prayer of the petitioners for early disposal of the proceedings, 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.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to dispose of application within a period of three months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Upon disposal of the application the suit should be expedited and disposed of within a year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the application nor into the merits of the suit.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)