

Item No.285
06.12.2023
Court. No. 19
GB

C.O. 3780 of 2023

Md. Abul Kashem @ Abul Kashem Akunji
Vs.
Atiqul Mondal & Ors.

Mr. Younush Mondal

...for the Petitioner.

The petitioner submits that an application for substitution has been filed in connection with Title Suit No.664 of 2015, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Barasat, since long.

Considering the submissions, the Court is of the view that the prayer of the petitioner 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 parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the application within a period of two months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same. Upon disposal of the said application, the suit should be expedited and disposed of preferably within the next two years.

This court has neither expressed any opinion on the merits of the suit nor on the merits of the application. The learned court shall proceed independently and in accordance

with law. No unnecessary adjournments shall be given to either of the parties.

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.)