

25.07.2023
Sl. No.114(DL)
srm

C.O. No. 3458 of 2022
Sri Sisir Kumar Chatterjee
Versus
Rita Chatterjee & Ors.

Mr. Sagnik Chatterjee,
Mr. Sayan Mukherjee

...for the Petitioner.

The petitioner is the defendant No.1 in Title Suit No.624 of 2019, which is pending before the learned Civil Judge (Senior Division), 6th Court at Alipore, South 24-Parganas. Two applications are pending before the learned court below. An application for injunction filed under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure and an application under Order XXXIX Rule 4 of the Code, filed by the defendant No.1, are yet to be disposed of.

The petitioner prays for expeditious disposal of the applications as also the said suit.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties is not required. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to

dispose of the applications within a period of three months from the next date fixed, independently and strictly in accordance with law, upon granting adequate opportunity to the parties to contest the applications and to file their written objection, if not already filed. Thereafter, the court shall proceed with the hearing of the suit and dispose of the same within a period of one year from the date of disposal of the applications. Unnecessary adjournments shall not be granted to any of the parties.

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

A copy of the revisional application, along with a server copy of this order, be served upon the opposite parties within a week.

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.)