

18th December, 2023
(D/L No.22)
(SKB)

C.O.3820 of 2023

Ram Sharma
Versus
Preeti Khan and another

Mr. Masud Karim,
Mr. Taraknath Haldar,
Mr. Abdul Amanulla Khan,
Sekh Sanawaz Ali

... for the petitioner

The petitioner prays for expeditious disposal of the Original Suit (OS) Case No.80 of 2019, which is pending before the court of learned Additional District Judge, 9th Court, Alipore, South 24 Parganas.

A probate suit became contentious.

It is submitted by learned counsel for the petitioner that the suit has not progressed much. The defendant no.1 has filed a written statement. Defendant no.2 has not yet appeared.

Considering the submissions, this 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. 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

suit along with all connected applications, if any, within a period of two years from the next date fixed. Adequate opportunity shall be given to the parties to contest the same.

This court has not expressed any opinion 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.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)