

Item No.273
11.12.2023
Court. No. 19
GB

C.O. 3804 of 2023

Sri Nadiram Halder
Vs.
Smt. Ashalata Mandal & Ors.

Ms. Malyasree Maity

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of the Title Appeal No.37 of 2008, which is pending before the learned Additional District Judge, Fast Track 2nd Court at Diamond Harbour.

It is submitted that the appellants have been taking adjournments on numerous occasions and cost was also imposed on one occasion.

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 title appeal within a period of six months 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 appeal. 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.)