

14.12.2023
Sl. No.259(DL)
srm

C.O. No. 3807 of 2023

Srimad Bhakti Samadhi Bhagbat Maharaj & Anr.

Versus

Srimad Bhakti Bhaban Baishnab Maharaj

Mr. Prasad Bhattacharyya

...for the Petitioners.

The petitioners are the defendant Nos.1 and 2 in Title Suit No.403 of 2023, which is pending before the learned Civil Judge (Senior Division), 1st Court at Krishnagar, Nadia.

The petitioners pray for expeditious disposal of the application under Section XXXIX Rules 1 and 2 of the Code of Civil Procedure.

It is submitted that the interim order of injunction is being extended from time to time.

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

Under such circumstances, 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, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the application.

A copy of the revisional application along with a server copy of this order be served upon the opposite party 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.)