

Item No.276
11.12.2023
Court. No. 19
GB

C.O. 3814 of 2023

Smt. Gaitri Hazra & Ors.
Vs.
Askok Kumar Kar & Ors.

Mr. Tanmoy Kr. Dey

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of the Title Suit No.1212 of 2022 along with the pending applications, which are pending before the learned Additional Judge, 12th Bench, City Civil Court at Calcutta.

It is submitted that an application under Order 39 Rules 1 and 2 as also an application under Section 151 of the Code of Civil Procedure are pending.

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 applications within a period of four months from the next date fixed, as per the seriality they deserve. Adequate opportunity shall be given to the parties to contest the same. On the outcome of the said application, the suit shall be disposed of within a period of two years.

This court has neither expressed any opinion on the merits of the pending applications nor 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 party and/or the learned advocate contesting the matter on behalf of the opposite party 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.)