

14.12.2023
Sl. No.260(DL)
srm

C.O. No. 3848 of 2023

Jakir Hossain Molla

Versus

Salima Begum & Ors.

Sk. Toslim Ali

...for the Petitioner.

The petitioner is one of the respondents in Misc. Appeal No.8 of 2019, which is pending before the learned Additional District Judge, 2nd Court at Uluberia, Howrah.

It is submitted that on an earlier occasion, a learned coordinate Bench had directed that the misc. appeal should be disposed of within a month. It is further submitted that the said miscellaneous appeal is still pending.

Considering the submission, this Court is of the view that the prayer of the petitioner, for early disposal of the miscellaneous appeal, 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.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to dispose of the miscellaneous appeal mandatorily within a period of three 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.

Report of compliance shall be sent to the learned Registrar General of this Court.

This Court has not gone into the merits of the miscellaneous appeal.

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.)