

08.12.2023
Sl. No.2(DL)
srm

C.O. No. 3507 of 2022
With
CAN 1 of 2023
Nur Nahar Bibi & Ors.

Versus
Soukat Ali

Mr. Tarun Das Sarma,
Ms. Piyali Mukherjee,
Ms. Chitralkha Biswas,
Ms. Daraksha Parveen

...for the Petitioners.

CAN 1 of 2023 is allowed as it appears that the order passed on October 13, 2023 on some erroneous statements made by the learned Advocate, who appeared on behalf of the petitioners at that juncture. Records reveal that no application for injunction is pending and the petitioners wanted early disposal of Title Suit.

The order dated October 13, 2023 is recalled.

Accordingly, CAN 1 of 2023 is disposed of.

Re: C.O. No.3507 of 2022

The petitioners pray for expeditious disposal of Title Suit No.585 of 2020 which is pending before the learned Civil Judge (Junior Division), 2nd Court at Barasat, North 24-Parganas.

Considering the submission, this Court is of the view that the prayer of the petitioners for early hearing 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 expedite the hearing of the suit and dispose of the same within a period of one year 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 suit.

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.)