

14.12.2023
Court No. 19
Item No.264
CP

C.O. No. 3902 of 2023

Smt. Kalawati Devi & anr.

Vs.

Sri Jagdamba Singh

Mr. Kushal Chatterjee
Mr. Debrup Choudhury

... for the petitioners.

The petitioners pray for expeditious disposal of the Title Appeal No. 43 of 2019 arising out of Title Suit No. 584 of 2015, which is pending before the learned Additional District Judge-in-charge, Howrah.

It is submitted that the suit was decreed in preliminary form sometime in 2018. A title appeal was preferred which is still pending.

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 party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the Title Appeal within six months from the next date fixed. Adequate opportunity shall be granted 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 party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned court below, within a week.

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.)