

December 11, 2023
Sl. No.281
Court No.19
s.biswas

CO 3931 of 2023

Swami Tejashananda Giri

vs.

Swami Bholananda Board of Trust and others

Mr. Debjit Mukherjee

Mr. Kaustav Bhattacharya

... for the petitioner

The petitioner is the defendant no.1, who prays for expeditious disposal of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure filed in connection with Title Suit No.1215 of 2021, which is pending before the learned Civil Judge (Junior Division), 4th Court, Alipore.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said suit along with pending application, on an urgent basis.

This court has neither gone into the merits of the application nor into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending application within two months from the next date fixed. Thereafter, the learned court below shall proceed with the suit and dispose of the same

within two years, upon disposal of the application, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)