

14.12.2023
Court No. 19
Item No.265
CP

C.O. No. 3939 of 2023

Malabika Mitra

Vs.

Indian Bank, Jodhpur Park Branch

Mr. Vishal Mallick

... for the petitioner.

The petitioner prays for expeditious disposal of the Act 39 (S) Case No.149 of 2023, which is pending before the learned District Judge Delegate, Alipore.

It is submitted that an application is pending since long.

The prayer of the petitioner 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 pending application as also the main proceeding 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 application as also the main

proceeding. 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.)