

01.08.2023
Court No. 19
Item No.56
CP

C.O. 3637 of 2022

M/s Happy Infrastructure Pvt. Ltd.

Vs.

Smt. Sikha Mondal & ors.

Ms. Sahili Dey

...for the petitioner.

The petitioner is the defendant no. 4 in Title Suit No. 2842 of 2016, which is pending before the learned Civil Judge (Senior Division), 4th Court, Alipore.

It is submitted that an application for addition of party has been filed by some persons, which is still pending disposal. The petitioner prays for expeditious disposal of the said Title Suit as well as the applicaiton.

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 and hence, there is no requirement for service of prior notice upon the opposite parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the said application within a period of two months from the next date fixed, upon granting adequate

opportunity to the parties to contest the same. Thereafter, the suit shall proceed and be disposed of within a year from the disposal of the application.

This court has not expressed any opinion on the merits of the pending application and also on the merits of the suit. 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 parties and/or the learned advocates contesting the matter on behalf of the opposite parties 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.)