

August 3, 2023
Sl. No.64
Court No.19
s.biswas

CO 3660 of 2022

Banamali Kayal
vs.
Smt. Kajal Kayal

Mr. Sayan Ray
Mr. Samrat Choudhury

... for the petitioner

The revisional application has been filed by the plaintiff/decree holder, who prays for expeditious disposal of the Title Appeal No.239 of 2002, which is pending before the learned Additional District Judge, 6th Court, Alipore, South 24 Parganas. It is submitted that the title appeal was filed sometime in 2002, but the lower court records have not been received. Some of the orders of the court, in support of such contentions have been annexed.

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 pending appeal, on an urgent basis.

This court has not gone into the merits of the appeal. 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 party, would not be necessary. The prayer is innocuous.

The learned lower appellate court is directed to ensure that the L.C.R. is sent by the learned trial

court within two weeks from the date of communication of the order. As the appeal is ready as regards service, the appeal shall be disposed of within a period of two months from the receipt of the L.C.R., without granting unnecessary adjournments to either of the parties. The learned court below shall proceed strictly in accordance with law and independently.

Compliance of this order shall be reported by the learned lower appellate court by filing necessary communication before the learned Registrar General, High Court, Calcutta.

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

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.)