

Item No.280
18.12.2023
Court. No. 19
GB

C.O. 4031 of 2023

Sri Ganesh Chowdhury & Ors.
Vs.
Manju Sharma

Mr. Gupta Nath Prasad

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of the Title Suit No.736 of 2020, which is pending before the learned Judge, 12th Bench, City Civil Court at Calcutta.

According to the petitioners, an application under Order 7 Rule 11 of the Code of Civil Procedure, filed by the defendant is still pending.

Considering the submissions, this Court is of the view that 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 application within a period of three months from the next date fixed. Adequate opportunity shall be given to the parties to contest the same.

This court has not expressed any opinion on the merits of the application. 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.

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.)