

Item No. 26
25.08.2023
Court. No. 19
GB

C.O. 3688 of 2022

Susanta Kumar Banerjee @ Susanta Banerjee
Vs.
Ashis Kumar Roy & Ors.

Mr. Pinaki Ranjan Mitra,
Mr. Sugata Mukhopadhyay

...for the Petitioner.

The petitioner is the defendant in Title Suit No.115 of 2017, which is pending before the learned Civil Judge (Senior Division), 3rd Court at Howrah. The petitioner prays for expeditious disposal of the title suit.

It is submitted that an application for injunction and another application for amendment of the written statement for incorporation of a counter-claim are pending.

This Court has neither expressed any opinion on the merits of the suit nor on the merits of the applications. An order of expeditious disposal enures to the benefit of all the parties and hence this revisional application need not be served upon the opposite parties before its disposal. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Senior Division), 3rd Court at Howrah to dispose of applications within a period of four months from the next date fixed, upon giving adequate opportunity to the opposite party to contest the same by filing written objections, if not already filed. The suit shall be disposed of within a year thereafter.

The learned court below shall proceed in accordance with law and independently, without granting unnecessary adjournments to either of the parties.

Accordingly, the revisional application is disposed of.

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

However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)