

Item No.281
18.12.2023
Court. No. 19
GB

C.O. 4042 of 2023

Sri Sri Durga Mata & Ors.
Represented by Sri Suvendu Bhattacharya
Vs.
Bipin Saha & Ors.

*Mr. Sounak Bhattacharya,
Mr. Sounak Mondal*

...for the Petitioner.

The petitioners are some of the decree-holders represented by a Sebait, who pray for expeditious disposal of Title Appeal No.14 of 2015, which is pending before the learned Additional District Judge, 1st Court at Contai, District – Purba Medinipur.

It is contended that the appeal is otherwise ready for hearing.

Considering the submissions, this Court is of the view that 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 parties.

The revisional application is disposed of with a direction upon the learned court below, to dispose of the appeal within a period of one year 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 appeal. 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 advocate contesting the matter on behalf of the opposite parties 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.)