

Item No. 203
21.06.2023
Court. No. 19
GB

C.O. 3802 of 2022

Nabia Khatun & Ors.
Vs.
Mohanlal Bhakat & Ors.

Mr. Kishore Mukherjee,
Mr. Ahitagni Dey

...for the Petitioners.

The petitioners allege delay in the disposal of Title Appeal No.36 of 2013. The appeal was filed by the plaintiffs/petitioners being aggrieved by a judgment and order dated February 28, 2013 passed by the learned Civil Judge (Senior Division), Rampurhat in Title Suit No.111 of 2000. The title suit was dismissed.

The petitioners submit that the said appeal is pending since 2013. It is further submitted that no interlocutory applications are pending in the appeal.

Having considered the age of the appeal and the delay caused, this Court is of the view that justice would be subserved if the revisional application is disposed of with a direction upon the learned lower appellate court, to dispose of the title appeal expeditiously.

This Court has not gone into the merits of the suit. An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties, is not required. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Senior Division), Rampurhat to dispose of the Title Appeal No.36 of 2013 within a period of six months from the next date fixed, without granting unnecessary adjournments to either of the parties.

Accordingly, the revisional application is disposed of.

However, there will be no order as to costs.

Petitioners are directed to serve a copy of the revisional application upon the learned advocate appearing on behalf of the opposite parties in the learned court below, along with the server copy of this order.

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

(Shampa Sarkar, J.)