

December 11, 2023
Sl. No.284
Court No.19
s.biswas

CO 4124 of 2023

Sri Sanjay Sarkar

vs.

Subrata alias Jotish Sarkar and others

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
Mr. K. Bhattacharya
Mr. S. Chakraborty
Mr. P. Jana

... for the petitioner

The petitioner/plaintiff no.1 prays for expeditious disposal of Partition Suit No.119 of 2016, which is pending before the learned Civil Judge (Senior Division), Balurghat, Dakshin Dinajpur. The petitioner submits that there was an order of expeditious disposal of the suit, on an earlier occasion as well.

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 suit, on an urgent basis.

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. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending suit within a year from the next date

fixed, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

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

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.)