

Item No. 14
01.09.2023
Court. No. 19
GB

C.O. 3866 of 2022

Ajit Kumar Saha & Anr.
Vs.
Somnath Ghosh & Ors.

Mr. Soumyajit Mukherjee

...for the Petitioners.

This revisional application has been filed challenging inordinate delay on the part of the learned Civil Judge (Junior Division), 1st Court at Barasat, District-24 Parganas (North) in not disposing of an application under Section 151 of the Code of Civil Procedure filed in connection with Misc. Case No.97 of 1977. Thus, the petitioner seeks direction for reconstruction.

In the opinion of the Court, apart from a direction upon the learned court below to dispose of the said application expeditiously, no further order on merit can be passed.

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 (Junior Division), 1st Court at Barasat, District-24 Parganas (North) to dispose of the application within a month from the next date fixed.

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.

Petitioners are 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.)