

13.10.2023
Court No. 19
Item no.48
CP

CO/3870/2022

SWEETY SAHA
VS
SARASWATI GUPTA AND ANR

Mr. Tamal Singha Roy
.....for the petitioner.

The petitioner prays for expeditious disposal of the Title Suit No. 1363 of 2019, which is pending before the learned Civil Judge (Junior Division) 5th Court at Alipore.

It is submitted that no interlocutory applications are pending. It is also submitted that the written statement has not yet been filed although several opportunities were given to the defendants.

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 suit within a year from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the suit. 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, within a week.

The revisional application is accordingly disposed of.

This order shall not be construed as a direction upon the learned court below to proceed ex parte. The court shall ensure that the suit is disposed of within the time frame mentioned above.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)