

21.12.2023
Court No. 19
Item no.31
CP

CCO/3893/2022

SK KUTUBUDDIN AND ORS
VS
MOSARAF ALI AND ORS

Ms. Anita Kaunda
Mr. Anubrata Dutta

.....for the petitioners.

The petitioners pray for expeditious disposal of all the pending applications which have been filed in connection with Title Suit No. 551 of 2015, which is pending before the learned Civil Judge (Senior Division) 1st Court, Barasat.

The prayer of the petitioners 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 all the pending applications within six months from the next date fixed, as per the seriality they deserve. Adequate opportunity shall be granted to the parties to contest the same. Thereafter, the suit shall be disposed of within a year from the disposal of the applications.

This court has not expressed any opinion on the merits of the applications and 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.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)