

December 19, 2023
Sl. No.13
Court No.19
s.biswas

CO 4209 of 2023

Humayun Buksh alias Humayun Bux and others
vs.

Sk. Asraf Ali and others

Mr. Dyutiman Banerjee

Ms. Gulsanwara Pervin

... for the petitioners

The petitioners are the defendants in Title Suit No.1771 of 2023, which is pending before the learned Civil Judge (Junior Division), 3rd Court at Alipore, South 24 Parganas. The petitioners pray for expeditious disposal of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure filed in connection with the said suit.

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 application, on an urgent basis.

This court has not gone into the merits of the application. 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 application within a period of three months 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.

Petitioners are 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.)