

December 11, 2023
Sl. No.286
Court No.19
s.biswas

CO 4231 of 2023

Rt. Reverend Ashoke Biswas

vs.

The Church of North India

Mr. Nirmalya Biswas

Ms. Ishita Roy

... for the petitioner

The petitioner prays that Title Suit No.1119 of 2018, which is pending before the learned Judge, 6th Bench, City Civil Court at Calcutta, be disposed of expeditiously. It is submitted that the defendant had time and again failed to appear in the suit and the learned court below had issued a show cause upon the defendant, calling upon it to answer why the suit should not be proceeded with, ex parte. Upon payment of cost, the answer to the show cause was accepted. It is further submitted that the suit is being fixed after long intervals.

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 party, 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 proceed with the suit and dispose of the same within a year from the date of communication of this order, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite party to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

The petitioner is directed to serve a copy of this revisional application along with a server copy of this order, upon the opposite party.

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.)