

07.07.2023
Court No. 19
Item no.22
CP

C.O. No. 3976 of 2022

Bishakha Debnath alias Sarjubala Debnath

Vs.

Bijoy Debnath

Mr. Abhijit Sarkar

Mr. Raja Biswas

...for the Petitioner.

The petitioner seeks expeditious disposal of Title Suit No. 31 of 2003, which is pending before the learned Civil Judge (Junior Division), 2nd Court, Berhampore, Murshidabad.

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 and, hence, there is no requirement for service of prior notice upon the opposite party.

Having considered the age of the suit, the court thinks such prayer is reasonable. The revisional application is disposed of with a direction upon the learned court below to dispose of the pending Title Suit within a period of one year from the next date fixed, upon giving the opposite party adequate opportunity to contest the same.

This court has not expressed any opinion on the merits of the said pending 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 party and/or the learned advocates contesting the matter on behalf of the opposite party 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.)