

19.12.2023
Court No. 19
Item no.303
CP

C.O. No. 4305 of 2023

Smt. Paromita Mondal nee Majumder

Vs.

Sanjib Bhattacharya & Ors.

Mr. Rabindra Narayan Dutta

Mr. Hare Krishna Halder

Mr. A. Mukherjee

.....for the petitioner.

The petitioner, who is the defendant in the suit, prays for expeditious disposal of the pending applications filed in connection with Title Suit No. 40 of 2016, which is pending before the learned Civil Judge (Junior Division) 1st Court, Barasat.

It is submitted that several directions had been passed by this court, requesting the learned court below to dispose of the proceedings, but the said applications are still pending.

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 pending applications within six months from the next date fixed. Adequate opportunity shall be

granted to the parties to contest the same. Thereafter, the suit shall be disposed of expeditiously, within a year from the disposal of the pending 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.)