

27.06.2023
Sl. No.286(DL)
srm

C.O. No. 3989 of 2022
Amaf Properties Private Limited
Versus
Smt. Rekha Rani Basak & Ors.

Mr. Animesh Paul

...for the Petitioner.

The petitioner is the defendant in Title Suit No.294 of 2016, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Barrackpore, District-North 24-Parganas.

The petitioner submits that an application for temporary injunction has not been disposed of since 2016. The petitioner submits that the learned court below should be directed to dispose of the application for temporary injunction expeditiously and, thereafter, dispose of the suit expeditiously.

Considering the age of the suit and the age of the injunction application, which has been filed, this Court is of the view that justice would be sub-served if the injunction application and title suit are disposed of expeditiously.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties is not required. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to dispose of the injunction application within two months from the next date to be fixed by the learned court below. The petitioner may file a put up petition and pray for preponement of the date of hearing of the application. Thereafter, the suit shall be disposed of within a year from the date of disposal of the application, strictly in accordance with law and independently, without granting unnecessary adjournments to any of the parties.

This Court has neither gone into the merits of the suit nor into the merits of the application.

A copy of the revisional application along with a server copy of this order be served upon the opposite party within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)