

29.02.2024
Ct. No. 19
Sl. No.49
Cp

C.O. No. 11 of 2024

Sanjay Jhunjhunwala
Vs.
Smt. Dharmaboti Sharma & Ors.

Mr. Sukanta Das

.....for the petitioner.

The petitioner, who is the defendant no. 3 in the suit, prays for expeditious disposal of an application for stay filed in connection with Miscellaneous Appeal No. 25 of 2023, which is pending before the learned Additional District Judge, 2nd Bench at Serampore, Hooghly.

It is submitted that the opposite parties have been praying for adjournments whenever the application for stay comes up for hearing.

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 application within one month from the next date fixed.

Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the application. 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.)