

29.02.2024
Ct. No. 19
Sl. No.50
Cp

C.O. No. 16 of 2024

Debasis Pal
Vs.
Indus Tower Limited & Anr.

Mr. Bidhayak Lihiri
Ms. Bhaswati Lahiri

.....for the petitioner.

The petitioner prays for expeditious disposal of the Title Suit No. 105 of 2018, which is pending before the learned Civil Judge (Senior Division), 3rd Court at Howrah.

It is submitted that the suit is pending since 2018 and an application has been filed under Order 7 Rule 10 of the Code of Civil Procedure.

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.

Liberty is granted to the petitioner to pray for pre-ponement of the hearing of the said application, upon notice to the opposite parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the

said application within two months from date. Upon disposal of the said application and based on the outcome of the same, the suit shall be expedited. 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 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.)