

01.02.2024
Ct. No. 19
Sl. No.187
Cp

C.O. No. 54 of 2024

Sri Praveen Kumar Baid (HUF)
Vs.
S.K. Advertising & Co.(P) Ltd.

Ms. Divya Baid

... for the Petitioner.

The petitioner prays for expeditious disposal of Title Suit No.336 of 2021, pending before the learned Judge, City Civil Court, 7th Bench, Calcutta.

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 party.

It appears that the Title Suit No.336 of 2021 is not progressing at all, for the past three years. The sole defendant is yet to be served. The suit has been fixed for SR & AD. The learned court below is required to ensure that expeditious steps are taken for effecting service upon the sole defendant. It also appears that long dates have been fixed in the matter.

If the defendant is not in a position to be receive summons, then the petitioner shall be allowed to take steps for substituted service.

It is made clear that the suit cannot be kept pending unnecessarily and steps should be taken by the learned court below to ensure early disposal.

This court has not expressed any opinion on the merits of 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 party and/or the learned advocate 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.)