

29.02.2024
Ct. No. 19
Sl. No.53
Cp

C.O. No. 55 of 2024

Sk. Mansur Ali
Vs.
Smt. Kajal Majumder

Mr. Raja Sharma

.....for the petitioner.

The petitioner prays for expeditious disposal of Title Suit No. 190 of 2015, which is pending before the learned Civil Judge (Junior Division), 5th Court at Alipore.

It is submitted that although there was an order of a coordinate Bench for early disposal of all the applications pending within a month, only one such application has been disposed of and two more applications are yet to be decided. It is also submitted that the defendant is not appearing in the matter and orders have been passed directing the defendant to show cause as to why the suit should not be disposed of ex parte.

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.

The revisional application is disposed of with a direction upon the learned court below to dispose of the two pending applications as also the suit within six months 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 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 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.)