

15.04.2024
Sl. No.8(DL)
srn

C.O. No. 147 of 2023

Durgadas Karmakar

Versus

Chandana Goswami

Mr. Malay Bhattacharya,
Ms. Sudipa Sengupta

...for the Petitioner.

The petitioner prays for expeditious disposal of an application for stay of the suit, which was filed by the defendant/opposite party. The said application has been filed in connection with Title Suit No.02 of 2016, which is pending before the learned Civil Judge (Junior Division), Bishnupur, Bankura.

Considering the submission, this Court is of the view that the prayer of the petitioner for early disposal of the proceeding, 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.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court to dispose of the application within two months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, on the outcome of the application, the learned court shall proceed strictly in accordance with law. Unnecessary adjournments shall not be granted to any of the parties.

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

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.)