

15.04.2024
Sl. No.12(DL)
srm

C.O. No. 125 of 2024
Smt. Rupa Samaddar
Versus
Mr. Rajkumar Banerjee & Anr.

Mr. Sarbananda Sanyal

...for the Petitioner.

The petitioner prays for expeditious disposal of Money Suit No.267 of 2018, which is pending before the learned Civil Judge (Senior Division), 1st Court at Barasat, North 24-Parganas.

It is submitted that an application for amendment of the plaint is pending. The evidence has also commenced.

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 parties.

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 with the suit in accordance with law and make a sincere endeavour to dispose of the same within a year from the date of disposal of the application. 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 parties 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.)