

08.02.2024
Court No. 19
Item No.45
Cp

C.O. No. 137 of 2024

Sraboni Saha Bhowmik & Anr.
Vs.
Bibhas Kanti Saha

Mr. Satyam Mukherjee
Ms. Sayani Ahmed
Mr. Purnendu Shekhar Ghosh

.....for the petitioners.

The petitioners pray for expeditious disposal of Title Suit No. 261 of 2014, which is pending before the learned Civil Judge (Senior Division) 2nd Court, Barasat.

It is submitted that the suit has been fixed for peremptory hearing and no applications are pending.

The prayer of the petitioners 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 suit, within a year 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 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.)