

Item No.9
15.03.2024
Court. No. 19
GB

C.O. 174 of 2024

Sri Pary Mohan Khan & Anr.
Vs.
Sri Babul Roy @ Lalu & Ors.

Mr. Manas Kr. Ghosh,
Ms. Susmita Dey (Basu)

...for the Petitioners.

The petitioners pray for expeditious disposal of the Title Suit No.405 of 2023 along with an application for injunction, which are pending before the Learned Civil Judge (Junior Division), 1st Court at Howrah.

Considering the submissions, this Court is of the view that 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 parties.

The revisional application is disposed of with a direction upon the learned court below to dispose of the application within a period of two months from the next date fixed. Thereafter, the suit shall be disposed of within a year. Adequate opportunity shall be given to the parties to contest the same.

This court has neither expressed any opinion on the merits of the suit nor on the merits of the application. 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 parties and/or the learned advocate contesting the matter on behalf of the opposite parties in the learned court below.

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.)