

Item No.10
15.03.2024
Court. No. 19
GB

C.O. 176 of 2024

Dipankar Mondal
Vs.
Srimatya Shibubala Malik & Ors.

Mr. Lakshminath Bhattacharya

...for the Petitioner.

The petitioner prays for expeditious disposal of the Title Suit No.28 of 2019 along with two applications, one for injunction and the other for amendment of written statement. The proceedings are pending before the Learned Civil Judge (Senior Division) at Diamond Harbour, District – 24 Parganas (South).

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

The revisional application is disposed of with a direction upon the learned court below to dispose of the applications within a period of three 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 applications. 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.)