

Item No.6
08.03.2024
Court. No. 19
GB

C.O. 182 of 2024

Ayesha Bibi & Ors.
Vs.
Jahidul Sarkar

Mr. Tanmoy Basu,
Mr. Manoj Adak

...for the Petitioners.

The petitioners are the defendants in Title Suit No.743 of 2023, which is pending before the Learned Civil Judge (Senior Division), 1st Court at Barasat, North 24 Parganas. By this application, the petitioners pray for expeditious disposal of the injunction application filed by the plaintiff.

It is submitted that written objection has already been filed.

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 party.

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

This court has not expressed any opinion 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 party and/or the learned advocate contesting the matter on behalf of the opposite party 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.)