

01.02.2024
Sl. No.189(DL)
srm

C.O. No. 217 of 2024
NKS Project Private Limited & Ors.
Versus
M/s. Leonine Estates Pvt. Ltd.

Mr. Sanjay Bose,
Mr. Priyankar Basu Mallick
...for the Petitioners.

Mr. Srijit Chakraborty,
Mr. Bimalendu Das,
Mr. A. Mondal,
Mr. S. Das
...for the Opposite Parties.

The petitioner prays for expeditious disposal of Title Suit No.1213 of 2022, which is pending before the learned Civil Judge (Senior Division), 4th Court at Alipore, South 24-Parganas.

It is submitted that on an earlier occasion, a direction had already been issued to the learned court below to dispose of the application under Order VII Rule 11 of the Code of Civil Procedure, but the same is still pending. It is submitted that the plaintiffs are enjoying an ad interim order of injunction.

Mr. Chakraborty, learned Advocate appearing on behalf of plaintiffs/opposite parties, vehemently opposes the prayer for expeditious disposal, but this Court is not inclined to

accept such objection and 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 both the parties.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to dispose of the application under Order VII Rule 11 of the Code of Civil Procedure within a period of two months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the application.

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.)