

11.03.2024
Sl. No.5(DL)
srn

C.O. No. 219 of 2024

Sri Barun Hatui & Ors.

Versus

**Sankrail Badamtala Sporting Club
represented by Amit Das & Ors.**

Mr. Abhilash Chatterjee,
Mr. Saikat Dey

...for the Petitioners.

The petitioners are the defendant Nos.7 to 9 in Title Suit No.402 of 2020. They pray for expeditious disposal of the pending applications filed in connection with the said title suit. The proceedings are pending before the learned Civil Judge (Senior Division), 3rd Court at Howrah.

The petitioners contend that several dates have been fixed for hearing of the applications.

Considering the submission, this Court is of the view that the prayer of the petitioners, 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 the parties. Hence, there is no requirement for service of prior notice upon the opposite parties.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court to dispose of the pending applications, 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. Thereafter, the suit shall proceed and be disposed of within a year, from the date of disposal of the applications. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the applications nor into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

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.)