

March 11, 2024
Sl. No.6
Court No.19
s.biswas

CO 243 of 2024

Dr. Amit Kumar Das

vs.

Smt. Anita Manna

Mr. Rahul Kumar Singh

Ms. Payal Mishra

... for the petitioner

The petitioner is the propounder of the Will and prays for expeditious disposal of the original suit being O.S. No.17 of 2020 along with the interlocutory application filed under Order 40 Rule 1 of the Code of Civil Procedure. The proceedings are pending before the learned Additional District Judge, 8th Court at Alipore, South 24 Parganas.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court is directed to dispose of the said suit as also the application, on an urgent basis.

This court has neither gone into the merits of the suit nor into the merits of the application. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court to dispose of the pending application within a period of two months from the next date fixed, without granting unnecessary adjournments to either of the parties

and upon disposal of the application, the suit shall be proceeded with and disposed of within a year thereafter, upon granting adequate opportunity to the opposite party to contest the proceedings. The learned court shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite party.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)