

14.03.2024
Sl. No.9(DL)
srm

C.O. No. 298 of 2024

Sovon Mukherjee

Versus

Smt. Arati Debnath & Ors.

Mr. Saswata Bhattacharya

...for the Petitioner.

The petitioner prays for expeditious disposal of Title Suit No.2250 of 2013 which is pending before the learned Civil Judge (Senior Division), 7th Court at Alipore, South 24-Parganas.

It is submitted that two applications filed by the defendant Nos.1 and 3 are also pending.

Considering the submission, 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 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 applications, within a month from the next date fixed, independently and strictly in accordance with law, upon

allowing the parties to contest the proceeding. Thereafter, on the outcome of the said applications, the learned court shall dispose of the suit mandatorily 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.)