

Item No.58
07.03.2024
Court. No. 19
GB

C.O. 365 of 2024

Sk. Syeed Ahmed
Vs.
Mehmood Ahmed

*Mr. S.T. Mina,
Mr. Pratick Sardar*

...for the Petitioner.

By this application, the petitioner prays for expeditious disposal of the application for injunction as also an application for repair along with Title Suit No.93 of 2015, which are pending before the learned Civil Judge (Junior Division), 2nd Court at Alipore.

Considering the submissions, this Court is of the view that the prayer of the petitioner 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 applications within a period of three months from the next date fixed. Thereafter the suit shall proceed expeditiously and shall be disposed of within the next two years. Adequate opportunity shall be given to the parties to contest the same.

This court has neither expressed any opinion on the merits of the suit nor on the merits of the applications. 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.)