

Item No.13
20.03.2024
Court. No. 19
GB

C.O. 395 of 2024

Shri Prosenjit Ghosh
Vs.
Shri Indrajit Ghosh

Mr. S. Chatterjee

...for the Petitioner.

The petitioner prays for expeditious disposal of the Title Suit No.267 of 2018 along with an application under Order 39 Rules 1 and 2 of the Code of Civil Procedure. The proceedings are pending before the learned Civil Judge (Senior Division), 2nd Court at Barasat.

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 application within a period of two months from the next date fixed. Thereafter the learned court shall make all endeavour to conclude the suit 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 application nor on the merits of the suit. 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.)