

30.04.2024
Ct. No. 19
Sl. No.35
Cp

C.O. No. 472 of 2024

Debjani Mazumdar
Vs.
Siddhartha Chakraborty

Mr. Amal Krishna Saha
Mr. Dibyendu Chatterjee
Mr. Pritam Majumdar
Mr. Mainak Singha Barman
Ms. Satabdi Das

... for the Petitioner.

The petitioner prays for expeditious disposal of Original Suit No.7 of 2014, which is pending before the learned Additional District Judge, 5th Court at Alipore.

The petitioner draws the attention of the court to the order sheet. The cross-examination has been going on unendingly for the last six years. 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.

This court cannot but help comment on the unnecessary dragging of the proceeding. This observation of the court is supported by the order-sheets annexed to the revisional application. Thus, for the ends of justice, the learned court is requested to dispose of the suit

within the next four months by ensuring that the cross-examination is over on two consecutive days. Adequate opportunity shall be granted to the parties to contest the proceeding.

The petitioner is at liberty to pray before the learned court to prepone the date of the cross-examination so that it can be completed at an early date, consecutively within two days to be fixed by the learned court.

This court has not expressed any opinion 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, within a week.

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.)