

07.03.2024
Sl. Nos.64 & 65(DL)
srm

**C.O. No. 485 of 2024
With
C.O. No.486 of 2024**

Dr. Aruna Kar

Versus

M/s. Buland Barter Private Limited & Anr.

Mr. Arijit Bardhan,
Mr. Debannik Baberjee

...for the Petitioner.

As the subject matter of challenge in these two revisional applications is the same, they are taken up analogously and disposed of by a common order.

In these two revisional applications, the petitioner prays for expeditious disposal of Execution Case No.87 of 2019 as also Misc. Case No.(Arb.) 01 of 2019, which are pending before the learned Additional District Judge, 15th Court at Alipore, South 24-Parganas.

It is submitted that although the application for setting aside the award is pending, no order of stay has been passed as yet. Taking advantage of the pendency of said application being Misc. Case No.(Arb.) 01 of 2019, adjournments are being prayed for in Execution Case No.87 of 2019.

Considering the submissions, this Court is of the view that the prayer of the petitioner, for early disposal of the proceedings, 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, this Court is of the view that the learned court must take expeditious steps to ensure that unnecessary adjournments are not granted to the opposite parties and steps are taken in accordance with law so that the proceedings pending are expedited and disposed of within a reasonable time, preferably within a period of eight months from the date of communication of this order, independently and strictly in accordance with law, upon allowing both the parties to contest the proceeding. Both the application and the execution case shall be disposed of within the aforesaid period. If the opposite party prays for stay of the execution, the same shall also be disposed of expeditiously and within a month from such prayers being made before the court.

This Court has neither gone into the merits of the pending proceedings.

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.)