

Item No.14
03.04.2024
Court. No. 19
GB

C.O. 489 of 2024

Barun Dey
Vs.
Arindam Dey & Anr.

*Mr. Sounak Bhattacharya,
Mr. Sounak Mandal*

...for the Petitioner.

The petitioner is the defendant no.1 who seeks expeditious disposal of an application for rejection of plaint, filed in Title Suit No.722 of 2021, which is pending before the learned Civil Judge (Junior Division), 5th 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 parties.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court to make a sincere endeavour to dispose of the application within a period of two months from the next date fixed. It appears that the same is pending since 2022. Adequate opportunity shall be given to the parties to contest the same.

This court has not expressed any opinion on the merits of the application. The learned court shall proceed independently and in accordance with law.

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.)