

22.03.2024
Ct. No. 19
Sl. No.05
Cp

C.O. No. 498 of 2024

Smt. Manjurani Saha
Vs.
Sri Nipul Kumar Basak

Mr. Sayan Ray
Mr. Samrat Choudhury

.....for the petitioner.

The petitioner submits that despite an earlier order of this court to dispose of the Misc. Appeal No. 27 of 2019 within four weeks from the receipt of the lower court records. The learned Additional District Judge, Fast Track Court at Ranaghat, Nadia has not taken any expeditious steps for disposal of the Misc. Appeal.

It is submitted that the delay is causing suffering to the petitioner as the petitioner cannot get the benefit of the decree of pre-emption. The petitioner is above 70 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.

Considering that there was an earlier order of this court, the revisional application is disposed of with a

direction upon the learned court to make sincere effort to dispose of the said Misc. Appeal within two months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the Misc. Appeal. 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.)