

19.03.2024
Sl. No.23(DL)
srm

C.O. No. 522 of 2024
Sakshi Gopal Ray & Ors.

Versus

Shekhar Roy alias Khokhon Roy & Ors.

Mr. A. Mookherji

...for the Petitioners.

The petitioners pray for expeditious disposal of partition suit being P.S. No.47 of 2011 which is pending before the learned Civil Judge (Senior Division) at Lalbagh, Murshidabad.

It is submitted that no interlocutory applications are pending.

Considering the submission, this Court is of the view that the prayer of the petitioners, for early disposal of the proceeding, 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 an endeavour to expedite the suit as the suit is of 2011 and

dispose of the same preferably within a year from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the suit.

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.)