

Item No.7
24.04.2024
Court. No. 19
GB

C.O. 580 of 2024

Smt. Aditi Chakraborty & Anr.
Vs.
Srinath Hembram & Ors.

Mr. Kajal Ray

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of the Title Execution Case No.43 of 2015 along with two applications being Misc. Judicial Case No.1 of 2016 and Misc. Judicial Case No.28 of 2016. The proceedings are pending before the learned Civil Judge (Junior Division), 2nd Court at Hooghly.

Considering the submissions, this Court is of the view that the prayer of the petitioners 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 dispose of the Misc. Case No.28 of 2016 within a period of two months from the next date fixed. Thereafter, the learned court shall make a sincere endeavour to dispose of the execution case within a period of six months. Adequate opportunity shall be granted to the parties to contest the same.

This court has neither expressed any opinion on the merits of the misc. case nor on the merits of execution case.

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 parties and/or the learned advocate contesting the matter on behalf of the opposite parties in the learned court below.

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.)