

February 27, 2024
Sl. No.19
Court No.19
s.biswas

CO 590 of 2024

Susanta Sen
vs.
Raahul Nathani

Mr. Jishnu Chowdhury
Ms. Sreya Basu Mallick
Mr. Ankit Dey
Mr. Souvodeep Banerjee

... for the petitioner

The petitioner, who is the decree holder, has filed this revisional application praying for expeditious disposal of the Misc. Case No.17 of 2023, which is pending before the learned Civil Judge (Senior Division), 2nd Court, Alipore, South 24 Parganas.

It is submitted that although an earlier order had been passed by this court directing expeditious disposal of the said misc. case, the period prescribed by this court has expired sometime in September 2023 and not a single day, the misc. case had been heard. Several times, adjournments were prayed for by the judgment debtor. The record indicates that adjournments had been granted and there is an earlier order of this court.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said misc. case, on an urgent basis.

This court has not gone into the merits of the misc. case. An order for expeditious disposal of any

litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite party, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of the misc. case within a period of three months positively, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite party to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently and shall file a report before this court indicating disposal of the misc. case.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite party.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)