

08.03.2024
Sl. No.10(DL)
srm

C.O. No. 593 of 2024
Ardhendu Sekhar Raut & Anr.
Versus
Dr. Nanigopal Adhikari & Ors.

Adv. Debjit Mukherjee,
Adv. Susmita Chatterjee,
Adv. K. Byhattacharya,
Adv. S. Chakraborty,
Adv. P. Jana

...for the Petitioners.

The petitioners are the defendant Nos.2 and 3 in Title Suit No.84 of 2022, which is pending before the learned Civil Judge (Junior Division), 1st Court at Barasat.

It is submitted that the opposite parties filed an application for restoration of electricity connection which is pending. The petitioners submit that the defendant Nos.2 and 3 filed a counterclaim. Written statement was also filed by the plaintiffs, but the plaintiffs have been dragging the matter and not willing to proceed with the suit.

The petitioners pray for expeditious disposal of the proceedings.

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 dispose of the pending application, within a period of one month from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, the suit shall proceed and be disposed of within a year, from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the application nor 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.)