

Item No.7
29.04.2024
Court. No. 19
GB

C.O. 618 of 2024

Tarun Kumar Mitra (Since deceased)
Represented by Mamata Mitra & Anr.

Vs.

Rashmi Shantilal Desai (since deceased)
Represented by Smt. Usha Desai & Ors.

Mr. Prasanta Bishal

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of two applications as also R.C. Case No.113 of 2003, which are pending before the learned Civil Judge (Junior Division), 6th Court at Alipore.

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 make a sincere endeavour to dispose of the applications within a period of four months from the next date fixed, thereafter the suit shall be disposed of within a year. Adequate opportunity shall be given to the parties to contest the same.

This court has neither expressed any opinion on the merits of the applications nor on the merits of the 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.)