

Item No.10
04.04.2024
Court. No. 19
GB

C.O. 650 of 2024

Nurul Haque Molla & Ors.
Vs.
Esfar Molla & Ors.

Mr. Sandip Das

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of an application for repair as also the Title Suit No.179 of 2001, which are pending before the learned Civil Judge (Senior Division), at Diamond Harbour.

It appears that the suit is pending for the last 23 years. The application for repair is also pending for more than 2 years.

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 application within a month from the next date fixed. Thereafter the court shall make a sincere endeavour to dispose of the suit 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 application nor on the merits of the suit. 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.)