

12.03.2024
Sl. No.12(DL)
srm

C.O. No. 672 of 2024
Sanjoy Banerjee & Anr.
Versus
Smt. Reba Banerjee & Ors.

Mr. Sovan Mukherjee

...for the Petitioners.

The petitioners as decree-holders pray for expeditious disposal of an application for reconstruction of the records filed in connection with Title Execution No.17 of 1984.

It is submitted that the said application is pending before the learned Civil Judge (Senior Division), 8th Court at Alipore. It is informed that the said court is vacant and prayer was made for a direction upon the learned Civil Judge (Senior Division), 1st Court at Alipore, for expeditious disposal of the said application.

In view of the fact that the execution proceeding has been stalled since 1984 because of non-availability of the record, such application was filed.

Considering the submission, this Court is of the view that the prayer of the petitioners, for early disposal of the application, is innocuous. 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, independently and strictly in accordance with law. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the application.

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.)