

22.03.2024
Sl. No.8(DL)
srm

C.O. No. 684 of 2024
Swapna Bhumi Relators Ltd. & Anr.
Versus
Abdul Matin Ahmed & Ors.

Mr. Sounak Bhattacharya,
Mr. Sounak Mandal,
Mr. Anirban Saha Ray

...for the Petitioners.

The petitioners, who are the defendant Nos.2 and 3 in Title Suit No.37 of 2017, pray for expeditious disposal of an application under Order VII Rule 11 of the Code of Civil Procedure as also the suit. The proceedings are pending before the learned Civil Judge (Senior Division), 7th Court at Alipore, South 24-Parganas.

It is submitted that the written statement has been filed.

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 application within a period of three months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, on the outcome of the application, the suit shall be expedited and the learned court shall make an endeavour to dispose of the same within a year from the date of disposal of the application, if the plaint is not rejected. 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.)