

Item No.15
23.04.2024
Court. No. 19
GB

C.O. 689 of 2024

Rabindra Nath Kaibarta & Ors.

Vs.

Tulusicharan Kaibarta (since deceased) represented
by his legal heirs, Sontosh Kaibarta & Ors.

Mr. Sandipan Maity

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of the Partition Suit No.210 of 2013, which is pending before the learned Civil Judge (Senior Division), Kandi, District- Murshidabad.

It is submitted that the suit is at the stage of arguments.

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 suit within a year from the next date fixed. Adequate opportunity shall be given to the parties to contest the same.

This court has not expressed any opinion 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.)