

Item No.13
01.04.2024
Court. No. 19
GB

C.O. 695 of 2024

Sri Biswanath Coomer
Vs.
Sri Ashim Coomer (Kumar) & Ors.

Mr. Debasish Kundu

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of Title Suit No.175 of 2006, which is pending before the learned Civil Judge (Senior Division), 1st Court at Hooghly.

It is submitted that the suit is dragging since long. It is submitted that an application for injunction filed by the defendants, is yet to be heard.

Considering the submissions, this Court is of the view that the prayer of the petitioner 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 two months from the next date fixed. Upon disposal of the said application the learned 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 suit nor on the merits of the application. 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 contesting 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.)