

13.03.2024
Sl. No.13(DL)
srm

C.O. No. 694 of 2024
Sri Sreedhar Poddar
Versus
Saltee Textiles Pvt. Ltd.

Mr. Debasis Sur,
Mr. Anshuman Patra,
Mr. Hare Krishna Halder

...for the Petitioner.

The petitioner prays for expeditious disposal of Title Suit No.71 of 2008 which is pending before the learned Additional Civil Judge (Senior Division), 2nd Court at Barasat, North 24-Parganas.

It is submitted that several dates have been allowed by the learned court, asking the plaintiff to deposit the stamp duty upon impounding the agreement. It is further submitted that said orders have not been complied with.

However, this Court is not inclined to go into the correctness of these facts.

Considering the submission, this Court is of the view that the prayer of the petitioner, 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 party.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court to dispose of the suit, within a period of six months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. The suit is at the stage of evidence. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone 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 party 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.)