

Item No.16
03.04.2024
Court. No. 19
GB

C.O. 705 of 2024

Sri Ranjan Biswas
Vs.
Sri Pradip Kumar Dey

*Mr. Sabyasachi Mukherjee,
Mr. Bibek Dey,
Mr. Poulam Dey,
Mr. Mrinmoy Nandy,
Mr. Syed Neaz Ahmed*

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of the Title Suit No.535 of 2014, which is pending before the learned Civil Judge (Junior Division), 1st Court at Barasat, District – North 24 Parganas.

The suit is for eviction, recovery of possession and mesne profit. It is submitted that the applications under Sections 7(1) and 7(2) of the West Bengal Premises Tenancy Act, 1997 are yet to be disposed of.

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 party.

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 application along with 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 neither expressed any opinion on the merits of the application nor on the merits of the suit. The learned court shall proceed independently and in accordance with law.

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.)