

April 2, 2024
Sl. No.12
Court No.19
s.biswas

CO 758 of 2024

Ms. Shephali Paul and others

vs.

Smt. Tatin Nandy and others

Mr. Krishna Das Poddar

Mr. Subir Sabud

... for the petitioners

The petitioners pray for expeditious disposal of Title Suit No.122 of 2022 along with pending injunction application, which are pending before the learned Civil Judge (Senior Division), 2nd Court, Baruipur, South 24 Parganas. Learned advocate for the petitioners submits that neither the written objection to the said injunction application nor the written statement has been filed by the defendants.

This court is not inclined to make any observation on such statement of the petitioners inasmuch as it is up to the learned trial judge as to how he would want to proceed with the suit. However, it appears to this court that the injunction application has been pending since long.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court is directed to dispose of the said suit as also the application, on an urgent basis.

This court has neither gone into the merits of the suit nor into the merits of the suit. An order of expeditious disposal of any litigation, enures to the

benefit of all the parties. Hence, prior service of this revisional application would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court to make a sincere endeavour to dispose of the pending injunction application within a period of three months from the next date fixed, and thereafter, the learned court shall proceed with the suit and dispose of the same within a year, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court shall proceed strictly in accordance with law and independently.

Petitioners are directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)