

Item No.14
14.03.2024
Court. No. 19
GB

C.O. 771 of 2024

Sumit Kumar Chakraborty @ Sumit Chakraborty
Vs.
Ira Chakraborty & Ors.

Mr. Pratick Sardar

...for the Petitioner.

The petitioner prays for expeditious disposal of the Title Suit No.874 of 2011, which is pending before the Learned Civil Judge (Senior Division), 7th Court at Alipore, District – 24 Parganas (South).

It is submitted that preliminary decree was passed in 2013, but the final decree has not yet been drawn up. The matter is awaiting acceptance of the learned commissioner's report.

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.

The revisional application is disposed of with a direction upon the learned court below, to dispose of the suit within a period of six months from the next date fixed, positively. 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.)