

Item No.38
30.04.2024
Court. No. 19
GB

C.O. 797 of 2024

Md. Raja @ Md. Nazir
Vs.
Md. Kalim

Mr. Sourav Chatterjee

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of the Ejectment Suit No.14 of 2019, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Barrackpore, District – 24 Parganas (North).

It is submitted that an application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 is pending.

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 application under Section 7(2) within a period of two months from the next date fixed. Adequate opportunity shall be given to the parties to contest the same.

This court has not expressed any opinion 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 opposite party and/or the learned advocate contesting the matter on behalf of the opposite party 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.)