

Item No.12  
04.04.2024  
Court. No. 19  
*GB*

C.O. 816 of 2024

Mr. Rajesh Kumar Malhotra & Anr.

Vs.

Mrs. Sharmistha Roy Chowdhury

*Mr. Aniruddha Mitra*

*...for the Petitioners.*

By this application, the defendants in the suit seek expeditious disposal of a pending application along with the Title Suit No.353 of 2023, which are pending before the learned Civil Judge (Senior Division), at Barasat.

It is submitted that the defendants have filed a counter-claim for eviction of the plaintiff and also an interim application for payment of charges for occupying the premises beyond the period of leave and licence.

Considering the submissions, this Court is of the view that the prayer of the petitioners 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 application within a period of two months from the next date fixed. Thereafter the court shall make a sincere endeavour to dispose of the suit within a year. 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.

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.)**