

12.03.2024  
Sl. No.13(DL)  
srm

**C.O. No. 827 of 2024**

**Dr. Sunil Basu**

**Versus**

**Arup Das**

Mr. Subhojit Saha,  
Ms. Nandini Sharma

...for the Petitioner.

The petitioner prays for expeditious disposal of the application for injunction and also Title Suit No.1211 of 2020. Such prayer is made on the ground that the petitioner is aged about 70 years and has been waiting for the disposal of the suit since long. The proceedings are pending before the learned Civil Judge (Junior Division), 5<sup>th</sup> Court at Alipore, South 24-Parganas.

It is submitted that the pleadings and respective objections have already been filed.

Considering the submission, this Court is of the view that the prayer of the petitioner, for early disposal of the proceeding, 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 for injunction, within a period of two months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, the suit shall be expedited and disposed of within a year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the application nor into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite party within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**