

15.03.2024
Court No. 19
Item no.15
CP

C.O. 829 of 2024

Smt. Kakali Acharya
Vs.
Smt. Malabika Roy & ors.

Mr. Arnab Mukherjee
Ms. Shreyasi Manna
.....for the petitioner.

The petitioner prays for expeditious disposal of the Title Appeal No. 57 of 2010, which is pending before the learned Additional District Judge, 3rd Court, Alipore.

It is submitted that for a long time the lower court records were not traceable. Learned Advocate has been instructed that records have reached the appellate court and directions be passed for early disposal of the appeal.

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 learned court is directed to ensure receipt of the lower court records, if not already received, and disposal of the appeal within a period of six months from the date of communication of this

order. Adequate opportunity shall be granted to the parties to contest the same.

It appears that the petitioner has been suffering for the last 14 years due to the pendency of the appeal.

This court has not expressed any opinion on the merits of the appeal. 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, within a week.

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.)