

16.04.2024
Ct. No. 19
Sl. No. 12
Cp

CO/930/2024

SUBHAS KRISHNA THAKUR
VS
SUSHIL KRISHNA THAKUR SINCE DECEASED REP. BY
LEGAL HEIRS MIHIR THAKUR AND ORS.

Mr. Prantick Ghosh
Mr. Prasad Bhattacharyya
Mr. A. K. Thokdar

... for the Petitioner.

The petitioner prays for expeditious disposal of Misc. Case No. 70 of 2014, which is an application under Order 9 Rule 9 of the Code of Civil Procedure. The application is pending before the learned Civil Judge (Junior Division), Bongaon.

It is submitted that the misc. case is at the stage of evidence.

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 to make a sincere endeavour to dispose of the misc. case within two months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the misc case. 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.)