

22.03.2024
Ct. No. 19
Sl. No.13
Cp

C.O. No. 978 of 2024

Odhavji Jamnadas Rajani & anr.

Vs.

Bharat K. Vora & anr.

Mr. Shaunak Ghosh
Mr. Sourav Mondal
Mr. Swapnadwip Ray

.....for the petitioners.

The petitioners pray for expeditious disposal of Title Suit No. 150 of 2019, which is pending before the learned Civil Judge (Junior Division), 4th Court, Alipore.

It is submitted that an application under Order 8 Rule 9 of the Code of Civil Procedure has been filed at the stage of evidence. The said application is still pending. The petitioners pray that the application should be disposed of urgently so that the suit can proceed.

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 parties.

The revisional application is disposed of with a direction upon the learned court to dispose of the application within a month from the next date fixed. Adequate opportunity shall be granted to the parties to

contest the same. Thereafter, the learned court is requested to make a sincere endeavour to dispose of the suit expeditiously, preferably within a year from the date of disposal of the said application.

This court has not expressed any opinion on the merits of the application and 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 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.)