

Item No.13
30.04.2024
Court. No. 19
GB

C.O. 1008 of 2024

Sunita Singh
Vs.
Md. Elyas & Anr.

*Mr. Manas Kumar Das,
Mr. Aritra Kumar Thokdar*

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of an application under Order 39 Rules 1 and 2 of the Code of Civil Procedure filed in connection with Title Suit No.1625 of 2018. The proceedings are pending before the learned Civil Judge (Junior Division), 2nd Court at Alipore.

Considering the submissions, this Court is of the view that 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.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court to make a sincere endeavour to dispose of the injunction application within a period of three months from the next date fixed. 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 parties and/or the learned advocate contesting the matter on behalf of the opposite parties 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.)