

15.04.2024
Sl. No.21(DL)
srm

C.O. No. 1055 of 2024

Swapan Kumar Pramanik alias Swapan Pramanik

Versus

Bijay Mondal & Ors.

Mr. Gautam Das

...for the Petitioner.

The petitioner prays for expeditious disposal of Miscellaneous Case No.6 of 2018, which has been filed in connection with Title Suit No.193 of 1998. The proceedings are pending before the learned Civil Judge (Senior Division), Diamond Harbour, South 24-Parganas.

The petitioner is the decree-holder. The petitioner submits that the said application has been filed contrary to provisions of law, as the suit was decreed on contest.

This Court has not gone into the merits of the contention of the petitioner as also the correctness of the submissions of the petitioner.

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 parties.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court to dispose of the misc. case within two months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This court has not gone into the merits of the misc. case.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties 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.)