

16.04.2024
Ct. No. 19
Sl. No. 13
Cp

CO/1068/2024

SMT. ALO DAS(DEY) AND ORS.
VS
PRADIP DEY BEING DEAD HIS LEGAL HEIRS
SMT. BELA DEY AND ORS.

Mr. Gopal Chandra Ghosh
Ms. Sunandana Saha

... for the Petitioners.

The petitioners pray for expeditious disposal of Title Suit No. 1198 of 2015, which is pending before the learned Civil Judge (Senior Division), 1st Court, Barasat.

It is submitted that the suit is at the stage of evidence. It is further submitted that the suit is for partition. The substitution of one of the deceased defendants had also been effected before the learned Trial Judge.

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 make a sincere endeavour to dispose of the entire partition suit expeditiously, preferably within two years 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 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.)