

22.04.2024
Ct. No. 19
Sl. No. 17
Cp

CO/1071/2024

SAMIR BARAN GHOSH

VS

ASIT BARAN GHOSH AND ORS

Mr. Uttam Kr. Bhattacharyya

Mr. Kaustuv Mishra

... for the petitioner.

The petitioner prays for expeditious disposal of Title Suit No. 114 of 2016, which is pending before the learned Civil Judge (Junior Division), Bidhannagar along with a pending application.

It is submitted that the said application has become infructuous, but the learned court is not disposing of the same.

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. 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 application. Adequate opportunity shall be granted to the parties to contest the same.

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.)