

Item No.19
04.04.2024
Court. No. 19
GB

C.O. 1158 of 2024

Amit Kumar Raidani
Vs.
Shyam Narayan Gupta & Ors.

Mr. Amit Kumar Raidani

... Petitioner (In-person).

The petitioner appears in-person. By this application, the petitioner seeks expeditious disposal of Misc. Case No.114A of 1999, which arises out of Misc. Case No.65 of 1995. The proceedings are pending before the learned Civil Judge (Junior Division), 2nd Court at Sealdah. The petitioner is the plaintiff/decreed-holder.

It is submitted that an application has been filed by the opposite party no.1 and the said application under Section 47 is pending for the last 30 years. It is submitted that the arguments are complete but the case was adjourned to enable the parties to rely on certain authorities.

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 misc. case within a period

of 10 days from the next date fixed. Adequate opportunity shall be given to the parties to contest the same.

This court has not expressed any opinion on the merits of the misc. case. 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 party and/or the learned advocate contesting the matter on behalf of the opposite party 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.)