

16.04.2024
Ct. No. 19
Sl. No.16
Cp

CO/1193/2024

DIPTADEEP CHOUDHURY
VS
OLIVA CHOUDHURY AND ANR

Ms. Debjani Sengupta
Mr. Rajib Mullick
Mr. S. Maity

... for the Petitioner.

The petitioner prays for expeditious disposal of Title Suit No. 878 of 2018, which is pending before the learned Civil Judge (Senior Division), 5th Court, Alipore along with an application for disclosure of documents.

It is submitted that the said application was filed sometime in March, 2020. The same has not yet been disposed of. It is also submitted that the suit is for partition.

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.

The revisional application is disposed of with a direction upon the learned court to dispose of the application within two months from the next date fixed. Adequate opportunity shall be granted to the parties to

contest the same. Thereafter, the learned court is requested to make a sincere endeavour to dispose of the suit expeditiously, preferably within two years from the date of disposal of the application.

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.)