

Item No.8
02.05.2024
Court. No. 19
GB

C.O. 1331 of 2024

Abdul Hai Laskar
Vs.
Abdul Malek Laskar

*Mr. Lakshminath Bhattacharya,
Mr. Rajib Kumar Acharyya,
Mr. Banshi Badan Maity*

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of an application under Order 6 Rule 17 of the Code of Civil Procedure, which has been filed in connection with Title Suit No.241 of 2016. The proceedings are pending before the learned Civil Judge (Junior Division), 1st Court at Baruipur.

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 party.

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 application within a period of two months 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 application. The learned court shall proceed independently and in accordance with law.

The petitioners are directed to serve a copy of this revisional application along with a server copy of this order upon the opposite party as also upon the learned advocate appearing on behalf of the opposite party in the learned court.

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.)