

22.04.2024
Ct. No. 19
Sl. No. 6
Cp

CO/1410/2023

PROVAT KR. NASKAR

VS

BARNALI MONDAL

Mr. Asit Kr. Bhattacharya

... for the petitioner.

The petitioner prays for expeditious disposal of Title Suit No. 3498 of 2017, which is pending before the learned Civil Judge 2nd Court, Baruipur.

It appears that the defendant filed the written statement and prayed for taking off the suit from the ex parte board, upon setting aside the order by which the suit was fixed for ex parte hearing. The order sheets reveal that the said applications are yet to be disposed of.

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.

The revisional application is disposed of with a direction upon the learned court to dispose of the applications 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 in accordance with law, expeditiously and preferably within a year from the date of disposal of the application.

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