

Item No.12
01.05.2024
Court. No. 19
GB

C.O. 1494 of 2024

Dilwar Thander
Vs.
Akbar Ali Molla & Ors

Mr. Mani Sankar Chattapadhyay

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of an application under Order 7 Rule 11 of the Code of Civil Procedure, filed in connection with Title Suit No.1182 of 2023. The proceedings are pending before the learned Civil Judge (Senior Division), 3rd Court at Alipore, District – 24 Parganas (South).

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 application within a period of four 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 petitioner is directed to serve a copy of this revisional application along with a server copy of this order upon the opposite parties as also upon the learned advocate appearing on behalf of the opposite parties 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.)