

Item No.13
01.05.2024
Court. No. 19
GB

C.O. 1497 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 Misc. Appeal No.401 of 2023 arising out of Title Suit No.1182 of 2023, which is pending before the learned Additional District Judge, 9th Court at Alipore, District – 24 Parganas (South).

The orders annexed to this revisional application indicate that the LCR is awaited.

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. appeal within a period of three months from the next date fixed, upon ensuring that the LCR is sent to the court. 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. appeal. 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.)