

Item No.13
02.05.2024
Court. No. 19
GB

C.O. 1573 of 2024

Subhendu Dey
Vs.
Smt. Labanya Roy

Mr. Aniket Mitra

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of Title Suit No.17 of 1996 (renumbered as Title Suit No.934 of 2016) along with all pending applications, which are pending before the learned Civil Judge (Senior Division), 6th Court at Alipore.

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 suit along with all applications, within a year from the next date fixed. Adequate opportunity shall be given to the parties to contest the same.

This court has neither expressed any opinion on the merits of the suit nor 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 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.)