

Item No.7
01.04.2024
Court. No. 19
GB

C.O. 2519 of 2023

Sri Sanat Gharami & Anr.
Vs.
Aktar Hossen Mondal & Ors.

*Mr. Gazi Faruque Hossain,
Md. Hafizur Rahaman*

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of Title Suit No.179 of 2017, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Diamond Harbour.

It is contended that three years have passed since a direction upon the defendants to file their additional written statement, but the same has not yet been filed.

Considering the submissions, this Court is of the view that the prayer of the petitioners 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 suit within a year 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 suit. The learned court shall proceed independently, in

accordance with law and as the learned court shall deem fit and proper.

A copy of the revisional application, along with a server copy of this order be served upon the opposite parties and/or the learned advocate contesting the matter on behalf of the opposite parties in the learned court below.

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.)