

15.04.2024
Sl. No.7(DL)
srm

C.O. No. 2591 of 2022

Dipak Kumar Naskar & Anr.

Versus

Archana Naskar & Anr.

Mr. Sandip Das,
Mr. Sajal Kanti Bhattacharyya,
Mr. Sarthak Burman

...for the Petitioners.

The petitioners pray for expeditious disposal of a pending application for repair as also Title Suit No.352 of 2013. The proceedings are pending before the learned Civil Judge (Senior Division), Diamond Harbour, South 24-Parganas.

Considering the submission, this Court is of the view that the prayer of the petitioners, for early disposal of the proceeding, 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 dispose of the application within two months from the next date fixed,

independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, the learned court shall proceed with the suit in accordance with law and make an endeavour to dispose of the same within a year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the application nor into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)