

Item No.8
02.04.2024
Court. No. 19
GB

C.O. 2936 of 2023

Sri Sunil Kumar Roy Chowdhury & Anr.

Vs.

Smt. Jaya Roy Chowdhury

Mr. Gopal Ch. Ghosh,
Mr. Rajdeep Bhattacharya

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of an application filed in connection with Money Suit No.205 of 2018. The proceedings are pending before the learned Civil Judge (Senior Division), 1st Court at Barasat.

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 party.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court to dispose of the application under Order 7 Rule 11 of the Code of Civil Procedure within a period of three months from the next date fixed. On the outcome of the said application and if the plaint is not rejected, the learned court shall make a sincere endeavour to dispose of the suit within a period of eight months from disposal of the application. Adequate opportunity shall be given to the parties to contest the same.

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

learned court shall proceed independently and in accordance with law.

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.)