

23.04.2024
Court No. 19
Item no.06
CP

CO/3579/2023

MUNNI DEBI
VS
UDAL PRASAD SHAW

Mr. Siva Prasad Ghosh
Ms. Srijani Mukherjee

.....for the petitioner.

The petitioner prays for expeditious disposal of Ejectment Suit No. 22 of 2019, which is pending before the learned Civil Judge (Junior Division), 2nd Court at Barrackpore along with an application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 (hereinafter referred to as 'the said Act'), filed by the opposite party.

It appears that the said application has been pending since long. It is submitted that the provisions of Section 7(1) of the said Act has not been complied with.

It is difficult for the court to ascertain the correctness of such statements. However, 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.

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. Adequate opportunity shall be granted to the parties to contest the same. Thereafter, the learned court is requested to make a sincere endeavour to dispose of the suit in accordance with law, expeditiously and preferably within a year from the date of disposal of the application.

This court has not expressed any opinion on the merits of the applications and the suit. The learned court shall proceed independently and in accordance with law.

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

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.)