

Item No.7
04.04.2024
Court. No. 19
GB

C.O. 3580 of 2023

Sankar Parasad Maity & Anr.
Vs.
Astami Maity

Mr. Tapan Dutta Gupta,
Mr. Parvej Anam

...for the Petitioners.

Mr. Mainak Bose

...for the Opposite Party.

By this application, the petitioners seek expeditious disposal of the Title Suit No.21 of 1989, renumbered as Title Suit No.81 of 1993, which is pending before the learned Civil Judge (Junior Division), Additional Court at Tamruk, Purba Medinipur.

It appears that the suit is not yet complete as regards service of summons.

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 learned court is directed to ensure that the service of summons is ready in all possible ways and thereafter make sincere endeavour to dispose of the suit within the next two months. 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 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.)