

20.03.2024
Ct. No. 19
Sl. No.08
Cp

CO/3728/2023

ASHA BANSAL AND ORS.
VS
ABHISHEK KHEMKA AND ANR.

Mr. Subhankar Chakraborty
Mr. Saptarshi Bhattacharjee

.....for the petitioners.

The petitioners pray for expeditious disposal of the Ejectment Suit No. 54 of 2022, which is pending before the learned Judge, 12th Bench, City Civil Court at Calcutta along with two pending applications.

It is submitted that such pending applications are under Sections 7(2) and 7(3) of the West Bengal Premises Tenancy Act.

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.

The revisional application is disposed of with a direction upon the learned court to dispose of the application under Section 7(2) of the said Act within two months from the next date fixed. As per the result of such disposal, application under Section 7(3) of the said

Act shall be decided. Adequate opportunity shall be granted to the parties to contest the same. Based on the outcome of the two applications, the suit shall be proceeded with and be disposed of within a year from the disposal of the applications.

This court has not expressed any opinion on the merits of the pending 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 parties and/or the learned advocate contesting the matter on behalf of the opposite parties 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.)