

22.03.2024
Sl. No.1(DL)
srm

C.O. No. 3915 of 2023

Kajol Pramanick & Ors.

Versus

Sri Netai Pramanick

Ms. Jeenia Rudra

Mr. Bhaskar Roy

...for the Petitioners.

The petitioners pray for early disposal of Title Suit No.1307 of 2022 along with two interlocutory applications. The proceedings are pending before the learned Civil Judge (Senior Division), 3rd Court at Alipore, South 24-Parganas.

It is submitted that the application for injunction and an application under Order XXXIX Rule 4 of the Code of Civil Procedure are pending.

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 party.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court to dispose

of the applications 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 applications. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the applications 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 party 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.)