

February 29, 2024
Sl. No.31
Court No.19
s.biswas

CO 3970 of 2023

Akhtar Alam alias Akhter Alam and others

vs.

Shamshad Mohamood and others

Mr. Samrat Choudhury

Mr. Ahshan Ahmed

... for the petitioners

The petitioners are the defendants who pray for expeditious disposal of the Title Suit No.18625 of 2013, which is pending before the learned Civil Judge (Senior Division), 2nd Court at Alipore, South 24 Parganas. The suit is for partition.

It is submitted that the suit is at the stage of evidence.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said suit, on an urgent basis.

This court has not gone into the merits of the suit. An order for expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to at least take steps to decide the suit in the preliminary form within a period of six months from the next date fixed, without granting unnecessary adjournments to

either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings and the evidence of the DW should commence immediately in view of the facts that the defendant no.1 is 78 years old. The learned court below shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)