

19.03.2024
Court No. 19
Item no.15
CP

CO/3994/2023

CHIRANJIT CHATTERJEE AND ANR

VS

NAMITA CHATTERJEE AND ORS

Ms. Somoshree Saha

....for the petitioners.

The petitioners prays for expeditious disposal of an application for substituted service filed in connection with Title Suit No. 23 of 2017, which is pending before the learned Civil Judge (Junior Division) 3rd Court, Howrah.

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 within one month from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same. Upon satisfaction of the learned court that the defendants have been served, the learned court shall make sincere endeavour to dispose of the suit expeditiously, preferably within a year thereafter.

This court has not expressed any opinion on the merits of the application 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.)