

January 4, 2024
Sl. No.276
Court No.19
s.biswas

CO 4028 of 2023

Partha Sarathi Chowdhury alias Partha Chowdhury
vs.
Sri Basudeb Chowdhury and others

Mr. Ranajit Chatterjee
Mr. Aniruddha Mitra

... for the petitioner

The petitioner is one of the defendants in Title Suit No.83 of 1974, which is pending before the learned Civil Judge (Senior Division), 9th Court at Alipore, South 24 Parganas. It appears that the preliminary decree was made in 1977, thereafter final decree has not been passed. It is also stated that two more applications are pending. The petitioner prays for expeditious disposal of the said suit as also the pending applications.

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 as also the pending applications, on an urgent basis.

This court has neither gone into the merits of the applications nor into the merits of the suit. An order of 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 dispose of all the applications and the suit, 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. 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.)