

19.03.2024
Court No. 19
Item no.19
CP

C.O. No. 4071 of 2023

Mir Mohamamd Mastafa & ors.
Vs.
Mir Edirs Ali & ors.

Mr. Syed Shamsul Arefin

....for the petitioners.

The petitioners pray for expeditious disposal of the partition suit being Title Suit No. 325 of 2021, which is pending before the learned Civil Judge (Senior Division) 1st Court, Baruipur.

It is submitted that an application for addition of parties is pending.

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 to dispose of the application within two months from the next date fixed. Thereafter, the learned court shall make a sincere endeavour to dispose of the partition suit, preferably within two years. Adequate opportunity shall be granted to the parties to contest the same.

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.)