

Item No.286
03.01.2024
Court. No. 19
GB

C.O. 4088 of 2023

Tapas Pal
Vs.
Samser Mallick & Ors.

Mr. Ayan Kr. Boral,
Mr. Sabyasachi Bhattacharjee

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of the Title Suit No.37 of 2022 along with misc. case which has been filed with the said suit. The proceedings are pending before the learned Civil Judge (Junior Division), 1st Court at Krishnanagar, Nadia.

Considering the submissions, this Court is of the view that the prayer of the petitioner 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 below, to dispose of the misc. case within a period of four months from the next date fixed. Thereafter, the suit shall proceed and be disposed of within a year from the date of disposal of the misc. case. Adequate opportunity shall be given to the parties to contest the same.

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

The revisional application is accordingly disposed of.

However, there shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)