

Item No.287
03.01.2024
Court. No. 19
GB

C.O. 4099 of 2023

Deepika Gupta @ Deepiki Gupta
Vs.
Sailesh Gupta

Mr. Aniket Mitra

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of the Money Execution Case No.5 of 2021 arising out of Matrimonial Suit No.1370 of 2019. The proceedings are pending before the learned Additional District Judge, 1st Court at Howrah.

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 party.

The revisional application is disposed of with a direction upon the learned court below, to dispose of the money execution case within a period of two months from the next date fixed. Adequate opportunity shall be given to the parties to contest the same.

This court has not expressed any opinion on the merits of the execution case. 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 party and/or

the learned advocate contesting the matter on behalf of the opposite party 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.)