

29.01.2024
Ct. No. 19
Sl. No.166
Cp

C.O. No. 4206 of 2023

Evergreen Sales Private Limited
Vs.
Ashok Saraf

Mr. Ayyan Boral
Ms. Divya Tiwary

.....for the petitioner.

Mr. S. Ghosh

.....for the opposite party.

The petitioner as the plaintiff, prays for expeditious disposal of Ejectment Suit No.430 of 2017, which is pending before the learned Judge, 6th Bench, Presidency Small Causes Court at Calcutta. The petitioner submits that an application for amendment of the plaint is pending.

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 Judge-in-charge, if the Presiding Officer is not available, to dispose of the pending application, within a period of one month from

the next date fixed, upon granting adequate opportunity to all the parties to contest the same. Thereafter, the suit shall proceed in the regular court and be disposed of within a period of one and a half years, from disposal of the application.

This court has not expressed any opinion on the merits of the pending application and the suit. The learned court shall proceed independently and in accordance with law.

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.)