

29.02.2024
Sl. No.37(DL)
srm

C.O. No. 4232 of 2023

Smt. Barsha Biswas

Versus

Smt. Rina Dey & Anr.

Mr. Debasish Kar

...for the Petitioner.

The petitioner prays for expeditious disposal of three interlocutory applications which have been filed in connection with Title Suit No.461 of 2021, which is pending before the learned Civil Judge (Senior Division) 1st Court at Barasat. The petitioner further submits that the suit is also pending since long and the suit should also be disposed of expeditiously.

Considering the submission, this Court is of the view that the prayer of the petitioner, for early disposal of the proceeding, 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.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court to dispose

of the pending applications, within a period of four months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, the suit shall proceed and be disposed of within the next one year, from the date of disposal of the applications. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the applications nor into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)