

03.01.2024
Sl. No.291(DL)
srm

C.O. No. 4272 of 2023

Asha Bansal & Ors.

Versus

Jeetendra Kumar Jha

Mr. Subhankar Chakraborty,
Mr. Saptarshi Bhattacharjee,
Ms. Sayani Gupta

...for the Petitioners.

The petitioners are the plaintiffs, who pray for expeditious disposal of two interlocutory applications filed in connection with Ejectment Suit No.46 of 2022 as the suit. The proceedings are pending before the learned Judge, 12th Bench, City Civil Court at Calcutta.

It is submitted that an application for addition of party and another application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 are pending.

Considering the submission, this Court is of the view that the prayer of the petitioners for early disposal of the proceedings, 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.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to dispose of the 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. Upon disposal of the applications, the suit shall proceed in accordance with law and be disposed of within two years 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 party 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.)