

03.01.2024
Sl. No.292(DL)
srm

C.O. No. 4313 of 2023
Smt. Chinu Chakraborty
Versus
Smt. Aloka Palit

Mr. Sayan Mukherjee,
Ms. Sayani Ahmed

...for the Petitioner.

The petitioner is the landlord/plaintiff, who seeks expeditious disposal of Title Suit No.176 of 2010, which is pending before the learned Civil Judge (Junior Division), 1st Court at Barasat, North 24-Parganas.

The petitioner submits that the applications under Sections 7(1) and 7(2) of the West Bengal Premises Tenancy Act, 1997 as also an application under Order XXXIX Rule 7 of the Code of Civil Procedure are yet to be adjudicated.

It is submitted that on an earlier occasion, a learned coordinate Bench had directed that the title suit should be disposed of expeditiously.

Considering the age of the suit and the submission, this Court is of the view that the prayer of the petitioner 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 three 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 be disposed of within six months 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.)