

30.01.2024
Court No. 19
Item no.178
CP

C.O. No. 4321 of 2023

Smt. Kalpana Shaw & Ors.

Vs.

Smt. Gita Rani Raha & Ors.

Mr. Shubham Gupta
Mr. Raunak Shaw
Mr. Avisek Das

.....for the petitioner.

The petitioners/plaintiffs pray for expeditious disposal of Ejectment Suit No. 133 of 2014, which is pending before the learned Judge, 3rd Bench, Presidency Small Causes Court, Calcutta.

It is submitted that the suit is at the stage of evidence and no other interlocutory applications are pending. It is also submitted that on an earlier occasion, a coordinate Bench had directed expeditious disposal of the suit. Yet, the suit is pending.

The prayer of the petitioners 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.

The revisional application is disposed of with a direction upon the learned court below to dispose of

the suit within six months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the suit. 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 parties and/or the learned advocate contesting the matter on behalf of the opposite parties in the learned court below, within a week.

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.)