

04.01.2024
Sl. No.278(DL)
srm

C.O. No. 4326 of 2023

Smt. Pranati Banerjee & Ors.

Versus

Sarosij Banerjee @ Sri Sarosij Bandhopadhyay & Ors.

Mr. Shehzaz Tareq Mina,
Mr. Pratick Sardar

...for the Petitioners.

The petitioners pray for expeditious disposal of Title Suit No.10 of 2012 along with all the pending applications. The proceedings are pending before the learned Civil Judge (Senior Division), 1st Court at Howrah.

Considering the age of the suit and 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 parties.

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 six 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, suit should be expedited and disposed of within a 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.)