

03.01.2024
Sl. No.293(DL)
srm

C.O. No. 4327 of 2023
Sri Sribas Mistri & Anr.
Versus
Sri Asit Kumar Bhowmik &Ors.

Mr. Salil Kumar Maiti,
Ms. Dolan Samanta

...for the Petitioners.

The petitioners pray for expeditious disposal of the application for injunction filed in connection with Title Suit No.95 of 2020 as also the suit itself. The proceedings are pending before the learned Civil Judge (Senior Division), 1st Court at Tamluk, Purba Medinipur.

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 parties.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to dispose of the application within a period of two 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 application, the suit shall be disposed of within a year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the application 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.)