

Item No.8
13.03.2024
Court. No. 19
GB

C.O. 4337 of 2023

Ratan Lal Barman
Vs.
Uma De @ Uma Dey

*Mr. Dhananjay Banerjee,
Ms. Oindrila Ghosh,
Ms. Sangeeta Singh*

...for the Petitioner.

The petitioner prays for expeditious disposal of Misc. Case No. MC 56 of 2019, arising out of Title Execution Case No. 10 of 2013. The proceedings are pending before the Learned Civil Judge (Junior Division), 1st Court at Serampore, Hooghly.

Considering the submissions, this Court is of the view that the prayer of the petitioner 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.

The revisional application is disposed of with a direction upon the learned court below, to dispose of the misc. case within a period of three months from the next date fixed, positively. Upon disposal of the misc. case and on the outcome of the misc. case, title execution case shall be disposed of accordingly. Adequate opportunity shall be given to the parties to contest the same.

This court has neither expressed any opinion on the merits of the misc. case nor on the merits of the execution

case. 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 party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned court below.

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.)