

03.01.2024
Sl. No.295(DL)
srm

C.O. No. 4339 of 2023

Md. Abu Gufran & Anr.

Versus

Md. Israil

Mr. Sovan Mukherjee

...for the Petitioners.

The petitioners are the plaintiffs, who pray for expeditious disposal of Ejectment Suit No.30 of 2015 along with an application filed under Section 7(1) of the West Bengal Premises Tenancy Act, 1997. The proceedings are pending before the learned Civil Judge (Junior Division) at Bidhannagar, North 24-Parganas.

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 party.

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 ejectment suit shall proceed in accordance with law and 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 ejectment 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.)