

29.01.2024
Sl. No.167(DL)
srm

C.O. No. 4422 of 2023

Pratik Sardar @ Layek

Versus

Sri Balai Ghosh & Ors.

Mrs. Pampa Dey (Dhabal)

...for the Petitioner.

The plaintiff in Title Suit No.52 of 2022, which is pending before the learned Civil Judge (Junior Division), Additional Court, Garbeta, Paschim Medinipur, prays for expeditious disposal of the said suit.

It is submitted that the suit has been renumbered and was originally filed in 2017. It is submitted that no applications are pending. The suit has been fixed for preemptory hearing.

Considering the submission, this Court is of the view that the prayer of the petitioner for early disposal of the proceeding, 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 suit within a period of one year from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone 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.)