

Item No.7
15.03.2024
Court. No. 19
GB

C.O. 4528 of 2023

Shyam Prakash Singh & Ors.
Vs.
Pradip Rana & Ors.

*Mr. Manwendra Singh Yadav,
Ms. Saswati Chatterjee*

...for the Petitioners.

The petitioners submit that despite order of the Court on July 24, 2023, passed in C.O. 654 of 2022 directing the learned Civil Judge (Junior Division), 6th Court at Alipore, District - 24 Parganas (South) to dispose of the application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 within a period of one month from the next date fixed, the learned court has not proceeded with the disposal of the said application.

It appears that this is a suit for eviction filed sometime in 2003. It is astonishing that even the application under Section 7(2) has not yet been disposed of, let alone disposal of the suit. 20 years have passed and the landlord has been suffering.

Considering the submissions, this Court is of the view that the prayer of the petitioners 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, this Court gives one last opportunity to the learned Civil Judge (Junior Division), 6th

Court at Alipore, District - 24 Parganas (South) to dispose of the application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 within a month from the next date fixed. Thereafter, the suit shall be disposed of preferably within a period of six months, in accordance with law.

This court has neither expressed any opinion on the merits of the suit nor on the merits of the application. 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 parties and/or the learned advocate contesting the matter on behalf of the opposite parties 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.)