

Item No.9
13.03.2024
Court. No. 19
GB

C.O. 4527 of 2023

Sk. Saidul Ali
Vs.
Salim Khan & Ors.

Mr. Maidul Islam Khayal,
Mr. Archisman Singh,
Mr. Somit Naskar

...for the Petitioner.

The petitioner prays for expeditious disposal of the applications filed under Sections 7(1) and 7(2) of the West Bengal Premises Tenancy Act, 1997. The suit for ejectment was filed in 2019. The Ejectment Suit No.284 of 2019 is pending before the Learned Civil Judge (Junior Division), 6th Court at Alipore, District – 24 Parganas (South).

It is submitted that the hearing of the applications have been completed but the order is yet awaited.

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 parties.

The revisional application is disposed of with a direction upon the learned court below, to dispose of the applications within a month from the next date fixed. Thereafter, the learned court shall proceed expeditiously with the disposal of the ejectment suit, based on the outcome of the applications. The learned court shall make all endeavour

to dispose of the suit within a year. Adequate opportunity shall be given to the parties to contest the same.

This court has neither expressed any opinion on the merits of the applications nor on the merits of the suit. 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.)