

Item No.19
02.02.2024
Court. No. 19
GB

C.O. 4545 of 2023

Smt. Krishna Sikdar & Anr.
Vs.
Smt. Jayasree Ghosh & Ors.

*Mr. Arnab Dutt,
Mrs. Labani Dey*

...for the Petitioners.

By this application, the petitioners seek expeditious disposal of the Title Suit No.1469 of 2015, which is pending before the learned Judge, 9th Bench, City Civil Court at Calcutta.

It is submitted that an application under Order 7 Rule 11 of the Code of Civil Procedure is pending.

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.

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. Adequate opportunity shall be given to the parties to contest the same.

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