

31.01.2025
s.das
Ct. No. 237
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C.O. 3923 of 2024

Abijan Bewa & Ors.
Vs.
Abul Kalam Mia & Ors.

Mr. Mrinal Kanti Ghosh
..... for the petitioners

This is an application wherein petitioners have prayed for expeditious disposal of the Partition Suit being P.S. Case No. 353 of 2016 presently pending before the learned Civil Judge (Senior Division), Lalbagh, Murshidabad.

It has been contended by the learned Counsel appearing for the petitioners that though the suit was filed in the year, 2016 but trial has not yet been commenced. As such a direction may be made upon the trial court for expeditious disposal of the said suit.

Since the prayer made on behalf of the petitioners is innocuous and if any order is passed in terms of the prayer made therein, neither party will have a cause to prejudice, the service of copy of the application or notice upon the opposite parties is dispensed with.

Having considered the age of the suit and that though the suit is pending since 2016 but the trial has not yet been commenced I find that the prayer made by the petitioner is justified.

In such view of the matter C.O. 3923 of 2024 is hereby disposed of with a direction upon the trial court to make every endeavour for expeditious disposal of above-mentioned partition suit along with interlocutory application being P. S. Case No. 353 of 2016 and to make its best effort to conclude the entire proceeding as early as possible preferably within a period six months from the next date of hearing.

Urgent Photostat certified copy of the order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)