

05.12.2025
Ct. No. 06
Item 91
Cp

C.O. No. 4079 of 2025

Sri Raj Guha & Anr.
Vs.
Joydeep Bose

Mr. Chanchal Kumar Dutta
Ms. K. Mullick

.....for the petitioners.

The petitioners pray for expeditious disposal of an application under Section 47 of the Code of Civil Procedure which has been registered as Misc. Case No. 70 of 2017, pending before the learned Civil Judge (Senior Division), 3rd Court, Alipore, and also for expeditious disposal of Title Execution No. 113 of 2016.

It is submitted by the petitioner that despite an earlier order of the court dated January 4, 2024 in C.O. 4452 of 2023, the proceeding is still kept pending.

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 party.

The revisional application is disposed of with a request to the learned court to dispose of the interim application, within two months from the next date fixed.

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

This court has not expressed any opinion on the merits of the Misc. Case. 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 party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned trial court, within a week.

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.)