

Item No.781
02.02.2026
Court. No. 6
GB

C.O. 4359 of 2025

Sri Pabitra Kumar Kundu & Anr.
Vs.
Shri Radhika Prasad Sinha & Anr.

*Mr. Sayan Chattopadhyay,
Ms. A. Acharya,
Ms. Suparna Jana*

...for the Petitioners.

1. By this application, the petitioners seek expeditious disposal of Misc. Appeal No.199 of 1996 arising out of Misc. Case No.49 of 1990, which is pending before the learned Additional District Judge, 3rd Court at Barasat.
2. Considering the submissions, the 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 party. Hence, there is no requirement for service of prior notice upon the opposite parties.
3. It appears that the Trial Court Record is already in the court of the learned District Judge at Barasat. The said T.C.R. shall be called for by the learned Additional District Judge, 3rd Court at Barasat immediately and it is expected that this order is complied with.
4. The revisional application is disposed of with a direction upon the learned trial court to dispose of the misc. appeal expeditiously, preferably within a period of six months from the next date fixed. Adequate

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

5. This court has not expressed any opinion on the merits of the misc. appeal. The learned trial court shall proceed independently and in accordance with law.
6. 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 trial court.
7. The revisional application is accordingly disposed of.
8. There shall be no order as to costs.
9. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)