

June 30, 2023
Sl. No.54
Court No.19
s.biswas

CO 956 of 2023

Rekha Rana @ Rekha Rani Rana and another
vs.
Tulsi Kamilya and others

Mr. Balaram Pandit
Mr. Anjan Dutta

... for the petitioners

The petitioners are the plaintiffs in the Title Suit No.230 of 2010, which is pending before the Learned Civil Judge (Senior Division), 1st Court, Contai, Purba Medinipur. The petitioners pray for expeditious disposal of the said title suit along with the pending application filed under Order 39 Rule 2A of the Code of Civil Procedure.

Under such circumstances, this court is of the view that that justice would be subserved if the learned court below is directed to dispose of the said title suit along with the pending application, expeditiously.

This court has neither gone into merits of the application nor into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties would not be necessary. The prayer is innocuous.

Considering the age of the suit, the revisional application is disposed of with a direction upon the learned court below to dispose of the application

within six months from the next date fixed and thereafter, the learned court below shall proceed with the hearing of the suit and dispose of the same within one year following the disposal of the application, without granting any unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings.

Petitioners are directed to serve a copy of this revisional application along with the server copy of this order upon the opposite parties.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)