

(12)
08.09.2020
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

(Via Video Conference)

CO 1173 of 2020
With
(Old. No.) CAN 5221 of 2020
(IA No. CAN 1/2020)

Shri Bhutnath Datta
-versus-
Monmohan Dutta & anr.

Mr. Surya Prasad Chattopadhyay,
Mr. Arjun Samanta
... for the petitioner.

Mr. Partha Pratim Roy, ... for the opposite parties.

Affidavit of service filed in Court today be kept
with the record.

The revisional application under Article 227 of
the Constitution of India is at the instance of the plaintiff
in a suit for partition and is directed against the order no.
07 dated March 13, 2020 passed by the Learned Civil
Judge (Senior Division), 2nd Court at Krishnagar, Nadia
in Title Suit No. 14 of 2020.

The petitioner has filed an application for
implementation of the order of injunction passed in the
suit by police help.

The Learned Trial Judge by the order impugned
has granted an opportunity to the defendants/opposite
parties to file written objection to the said application.

This Court does not find any jurisdictional error in affording opportunity to the opposite parties to file written objection against the said application for police help.

The order impugned therefore does not call for any interference.

Mr. Roy, learned counsel appearing for the opposite parties, submits that his clients will file the said written objection by Monday next.

The Learned Trial Judge is directed to take up the hearing of the said application immediately after completion of the affidavits of the parties and shall dispose it of within two weeks from the date of communication of this order.

Needless to say that the Learned Trial Judge to adhere to the time limit fixed by this order for disposal of the said application shall not entertain the prayer of the parties for any unnecessary adjournment.

CO 1173 of 2020 and the connection application being CAN 5221 of 2020 (Old No.) and IA No. CAN 1 of 2020) stand disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Biswajit Basu, J.)