

17.12.2020
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C.O. 3292 of 2018

Tapas Mukherjee
Vs.
Mrs. Sucheta Mayer

Mr. Mani Sankar Chattopadhyay
... For the Petitioner.

The opposite party herein filed a suit being T.S. No.760 of 2017 for declaration that the decree passed by the family court in UK is not binding upon her and for permanent injunction restraining the petitioner herein from executing the said decree. In connection with such suit, the opposite party took out an application under Order 39, Rule 1 and 2 read with section 151 of the Code of Civil Procedure praying for temporary injunction restraining the petitioner herein from giving effect to the decree passed by the family court at UK. The learned Trial Judge by an order dated July 13, 2017 passed an ad interim order of injunction till July 27, 2017.

The grievance of the petitioner is that the injunction application has not yet been disposed. The learned Advocate appearing for the petitioner prays for a direction upon the learned court below for expeditious hearing of the injunction application.

In view of the order sought and proposed to be passed, there is no necessity of issuing any notice

upon the opposite party herein. However, the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite party herein by Speed Post with Acknowledgement Due Card. In addition, the petitioner will also be at liberty to serve a copy of this application and this order upon the learned Advocate representing the opposite party herein before the court below forthwith.

The learned Civil Judge(Sr. Division), 9th Court at Alipore is requested to take up the hearing of the application for injunction on the next date fixed and to dispose of the same as expeditiously as possible and preferably within a period of eight weeks from the next date fixed.

C.O. 3292 of 2018 is disposed of with the aforesaid directions.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on priority basis upon compliance of all formalities.

(Hiranmay Bhattacharyya,J)