

CO 1256 OF 2020
SRI SUNIL KUMAR DAS & Anr.
Vs.
SRI RAJU SHAW & Ors.

Mr. Animesh Paul

.... For petitioners

Plaintiffs are petitioners. Mr. Paul, learned advocate appearing on their behalf submits, his clients had made a petition under section 94(c) in Code of Civil Procedure, 1908. The petition was rejected by impugned order dated 3rd July, 2020, which is why his clients have petitioned for revision.

On query from Court it is ascertained that petitioners had earlier applied under order 39 rules 1 and 2 of the Code, for temporary injunction. Ad interim order was refused, against which they chose not to file appeal. Instead once again they have filed for injunction, this time under section 94 of the Code. As such, there is no material irregularity or illegality in impugned order.

This petition is disposed of with a direction upon the Court below to expeditiously hear out the pending application made under order 39 rules 1 and 2 of the Code. The Court, upon satisfaction of service, if already made or to be made, will proceed to dispose of the application, preferably within four weeks from date.

The petition is disposed of.

(ARINDAM SINHA, J.)