

D/L
Item No. 2
24.11.2020
(Video Conference)
Kole/AD

CO 1385 of 2020

Jharna Rani Sasmal (Das) & Ors.

-Vs-

Sri Krishnendu Das & Anr.

*Md. Habibur Rahaman,
Mr. Pervez Anam*

For the petitioners.

This writ petition is by the defendants in a suit for declaration of title and other reliefs in relation to the immovable property. In this application under Article 227 of the Constitution, the petitioners/defendants voice their grievance that an application for temporary injunction, filed by the plaintiff in pending suit, is pending with an ad interim order as against the defendants; however that the attempt of the defendants to have the interlocutory application is finally disposed, has not fructified.

Notice to the respondents is dispensed with preserving their right to seek re-hearing of this matter if they are aggrieved by the directions issued hereby.

Without prejudice to the contentions as between the parties before the Court below, this writ petition is to be ordered directing that the Court below will sympathetically consider any request of the defendants for early disposal of

the interlocutory application for temporary injunction which is stated to be pending at that end. It is the principle of law and the position in the Code of Civil Procedure that applications of such nature should not be kept pending for too long.

In the result, this writ petition is ordered directing that the Court below will take any application for temporary injunction pending in the suit in relation to which this writ petition is filed and decided on it in accordance with law. Let that be done without delay.

(Thottathil B. Radhakrishnan, C.J.)