

S/L 21
16.12.2020
Court. No. 19
GB

C.O. 1567 of 2020

Biswajit Das
Vs.
Anima Rani Das & Ors.

(Through Video Conference)

Mr. Bikram Banerjee,
Ms. Tannistha Bandyopadhyay.
...for the Petitioner.

The petitioner is the plaintiff in Title Suit No.363 of 2019, pending before the learned Civil Judge, Junior Division at Barrackpore, North 24 Parganas.

The petitioner is aggrieved by the long pendency of the application under Section 151 of the Code of Civil Procedure. It is the allegation of the petitioner that in violation of the ad interim order of injunction passed by the learned court below, the opposite parties have forcefully entered into the premises by taking advantage of the closure of business during the COVID-19 period and have put a padlock. The petitioner cannot go back to his place of business and the labourers who have valuable documents in the said office premises, have also not been able to enter the premises.

The petitioner prays that the said application be decided expeditiously.

It appears from the order sheet that on the last few occasions adjournments have been granted in favour of the

opposite parties. It also appears from the order sheet that the application has been fixed for hearing on January 4, 2021 and the opposite parties have been directed to file written objection in the meantime.

Having considered the fact that, the matter has been fixed in January, 2021, this Court is not inclined to pass any order in favour of the petitioner save and except that the learned court below is directed to complete the hearing of the application under Section 151 of the Code of civil Procedure within a period of two weeks from the next date fixed.

The petitioner is directed to serve copies of this revisional application along with a server copy of this order upon the opposite parties within a week from date.

This Court has not gone into the merits of the claims and counter-claims of the parties and the learned court below will proceed independently and in accordance with law.

The revisional application is disposed of.

There will be, however, no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)