

22.12.2020  
Sl. No.18  
srm

**C.O. No. 1608 of 2020**

**Sri Swapan Dey  
Vs.  
Sri Amal Kumar Dey**

Mr. Rajdeep Bhattacharyya,  
Mr. Arindam Kundu

...for the Petitioner.

The petitioner is the plaintiff in Title Suit No.608 of 2020 pending before the learned Civil Judge (Senior Division), 3<sup>rd</sup> Court at Alipore, South 24-Parganas.

The petitioner prays for a direction upon the learned Civil Judge (Senior Division), 3<sup>rd</sup> Court at Alipore, South 24-Parganas for expeditious hearing of the prayer for ad interim injunction made by the plaintiff/petitioner.

It is submitted that as there was a caveat in the matter, the defendant/opposite party has been served. It is submitted that the application for injunction at least on the point of ad interim order should be heard. Due to resolutions of the local bar, the matter could not be taken up. It is further submitted that the learned Court below has started functioning normally.

Having considered the prayer and having found that the said prayer is an innocuous one, this revisional application is disposed of without giving any opinion on the merits of the case but only with a request to the learned Court below to hear

out the application for temporary injunction at least on the point of ad interim order, upon granting an opportunity to the parties to contest the same and upon allowing an opportunity to the opposite party to file an objection. The learned court below will hear out the prayer for ad-interim orders as made in the injunction application within a period of one month from the next date fixed.

The learned Advocate-on-record for the petitioner is directed to serve a copy of this revisional application upon the opposite party along with a server copy of this order within a period of seven days.

This revisional application is, thus, 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.)**