

20.01.2021
Sl. No. 30
srm

C.O. No. 127 of 2021

**Sri Madhab Seth
Vs.
Sri Partha Seth**

Mr. Buddhadeb Ghosh,
Mr. Lakshminath Bhattacharya

...for the Petitioner.

This revisional application has been filed for an order directing the learned Civil Judge (Senior Division), 3rd Court, Baruipur, South 24-Parganas, to hear out the application for temporary injunction at least on the point of ad interim order filed in connection with Title Suit No.290 of 2020.

The plaintiff is the petitioner before this Court. It is the apprehension of the petitioner that if on the next date, i.e., on January 29, 2021 the written objection is not filed by the opposite party then the prayer for ad interim order made by the plaintiff will not be considered by the learned Court below.

The apprehension of the petitioner is premature and this Court shall not interfere with the proceeding. This Court has faith in the learned Civil Judge (Senior Division), 2nd Court, Baruipur, that the court will take into consideration the urgency pleaded for an ad interim order and decide the issue as per the wisdom of the learned Court below and on merits of

the case on the next date fixed and will pass necessary orders in accordance with law.

The learned Court below will proceed independently and dispose of the prayer for an ad-interim injunction expeditiously preferably within a period of two weeks from the next date fixed.

The learned court below will act on the basis of the server copy of this order.

This Court has not entered into the merits of the case of the petitioner.

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 three days from date.

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.)