

27-01-2021

Ct. 12

FMAT 45 of 2018  
With  
CAN 1 of 2018 (old CAN 1339 of 2018)

Kotak Mahindra Bank Ltd.  
Versus  
Anup Jaiswal

**(Through Video Conference)**

The appellant is not represented either physically or on virtual mode, nor any accommodation is prayed for.

The matter appeared last on 19<sup>th</sup> December, 2018. We have perused the order dated 28<sup>th</sup> November, 2017 being the subject matter of the appeal. The appeal is directed against an ad-interim order of injunction. It appears that the matter was made returnable before the learned trial court on 3<sup>rd</sup> January, 2018. It further appears that the defendant had appeared before the learned trial court on 21<sup>st</sup> December, 2017.

From the nature of the order we feel that the learned trial court was justified in passing an ex-parte ad-interim order. However, we dispose of this appeal by directing the learned trial court to dispose of the injunction application as expeditiously as possible without granting any unnecessary adjournments to either of the parties and without being influenced by the order dated 28<sup>th</sup> November, 2017 or by any observation made by us in this regard in the appeal.

The appeal and the application are accordingly, disposed of.

**(Aniruddha Roy, J.)**

**(Soumen Sen, J.)**