

03.02.2021
Court No. 19
Item No.14
CP

C.O. 229 of 2021

Shyamalendu Mondal @ Mandal
vs.
Mrinmoy Dey

Mr. Tanmoy Chowdhury
Ms. Ritoprita Ghosh

....for the petitioner.

This revisional application has been filed by the preemptor in Misc. Case No. 10 of 2020, pending before the learned Civil Judge (Junior Division), 1st Court at Baruipur, South 24- Parganas.

The petitioner prays for expeditious disposal of the application under Order 39 Rules 1 and 2 of the CPC. The petitioner submits that the said application has been pending for a considerable period of time. The petitioner further submits that the written objection on behalf of the opposite party has also been filed. The records also reflect that the written objection to the interlocutory application has been filed by the opposite party on December 14, 2020.

The prayer made by the petitioner is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to dispose of the application for temporary injunction upon allowing the opposite party to contest the same in accordance

with law within a period of two months from the next date fixed.

This court has not gone into the merits of the case and the learned court below shall proceed independently. Upon disposal of the interlocutory application, the learned court shall proceed with the expeditious disposal of the preemption case.

Petitioner is directed to serve a copy of the revisional application along with the server copy of this order upon the opposite party within seven days from date.

The revisional application is disposed of. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible subject to compliance of all usual formalities.

(Shampa Sarkar, J.)