

BENGAL UNITED CLUB VS. PRAFULLA KUMAR ROY & ANOTHER.

Mr. Mayukh Maitra
Mr. Rajesh Naskar
..for the petitioner
Mr. Sourav Sen
Mr. Partha Chakraborty
..for the opposite parties

Let the affidavit of service filed in Court today
be taken on record.

This revisional application has been filed by the plaintiff in Title Suit No. 595 of 2020, pending before the learned Civil Judge, Junior Division, 1st Court, Barasat, District North 24 Parganas.

The petitioner is aggrieved by the order of rejection of an application for putting up the petition filed by the plaintiff under Section 151 of the Code of Civil Procedure seeking police help for implementation of the order of ad-interim injunction. It is the contention of the petitioner that there is grave urgency in disposal of the said application.

Mr. Sen, learned Advocate for the opposite parties submits that the plaintiff does not have any right, title and interest in respect of the property in question and the plaintiffs are trying to grab the property and the

application for temporary injunction should be heard out immediately.

Having considered the rival contentions of the parties, this Court is of the opinion that the learned Court below should dispose of the application under Section 151 of the Code of Civil Procedure expeditiously, preferably within a month from date.

The opposite parties are at liberty to file their written objections to the application under Section 151 of the Code of Civil Procedure within 10 days from date.

Once the said application is disposed of, the learned Court below is directed to dispose of the application for temporary injunction filed by the petitioner within 15 days thereafter.

This revisional application is disposed of.

There will be however no order as to costs.

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

(Shampa Sarkar,J.)

