

25.02.2021
Sl. No. 15
srm

C.O. No. 407 of 2021

Dr. Satya Smaran Adhikary & Anr.

Vs.

Sri Deb Kumar Ghosh & Ors.

Mr. Souradipta Banerjee

...for the Petitioners.

This revisional application has been filed by the defendant Nos.2 and 3 in Title Suit No.79 of 2018 pending before the learned Judge, 10th Bench, City Civil Court at Calcutta. The petitioners pray for expeditious disposal of the application for injunction as also the application under Order VII Rule 11 of the Code of Civil Procedure filed in the learned Court below.

The prayer of the petitioners is otherwise innocuous.

It appears that the application under Order VII Rule 11 of the Code of Civil Procedure has been filed for hearing on February 26, 2021.

For the ends of justice, this Court disposes of the revisional application with a direction upon the learned Court below to dispose of the pending applications for temporary injunction as also for rejection of the plaint independently and in accordance with law.

This Court does not make any observation as to which application should be taken up first but these applications should be disposed of within two months from the next date fixed.

This Court has not gone into the merits of the claims and counterclaims of the parties and the learned Court below shall decide the issues and the points raised before the learned Court below independently and in accordance with law.

The learned Advocate-on-record for the petitioners is directed to serve copies of this revisional application upon the opposite parties as also the learned Advocate appearing in the learned Court below along with a server copy of this order on the next date fixed.

Needless to mention that the learned Court below shall afford an opportunity of hearing to all the parties to contest the proceedings.

The revisional application is 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.)