

29.07.2021
(S/L-21)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 929 of 2021

Sri Pradip Sarkar

-Vs-

Shriram Transport Finance Co. Ltd.

Mr. Subhajit Chowdhury,

Mr. Debasish Kar,

..... For the Petitioner.

The plaintiff in a suit for injunction is the petitioner of the present revisional application under Article 227 of the Constitution of India.

The prayer of the plaintiff in the suit for an ad interim order of injunction was refused, aggrieved thereby the plaintiff has preferred the connected Misc. Appeal 42 of 2021 which is pending before the learned 3rd Additional District Judge, Barasat, District-24 Parganas (North).

The Appeal Court below by the order no.2 dated March 18, 2021 has refused to pass an ad interim order of injunction in the said appeal holding that the appellant has failed to make out prima facie case to pass an ex parte ad interim order of injunction.

The petitioner being aggrieved by the said order has preferred the present revisional application.

There is no immediate urgency to interfere with the order impugned for grant of an ad interim order of injunction since the order impugned was passed in the month of March, 2021.

This Court feels that justice would be subserved if the connected Misc. Appeal is directed to be disposed of expeditiously.

The learned Counsel for the petitioner submits that August 13, 2021 is the next date fixed for hearing of the said appeal in the Appeal Court below.

Therefore, C.O. 929 of 2021 is disposed of by requesting the Appeal Court below to dispose of the said Misc. Appeal as expeditiously as possible, if the same is otherwise ready for disposal and in doing so shall not grant any unnecessary adjournment to either of the parties.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)