

27th July,
2021
(AK)
18

C.O. 1280 of 2021

Amit Shaw and others
Vs.
Dipak Kumar Jaiswal and others

(Via video conference)

Mr. Vinay Kumar Purohit
...For the Petitioners.

In view of the innocuous nature of the order proposed to be passed, no prior service of notice on the opposite parties is deemed necessary.

In view of a sufficient case having been made out by the defendant nos. 15 to 17/petitioners as regards the next date for hearing of the petitioners' application under Order XXXIX Rule 4 of the Code of Civil Procedure having been fixed inordinately late, that is, on December 9, 2021, the following order is passed:

C.O. 1280 of 2021 is disposed of by requesting the Civil Judge (Senior Division) Second court at Howrah to dispose of the application for injunction pending at the behest of the plaintiffs/opposite party nos.1 and 2 and the vacating application filed by the revisionist-petitioners, both in connection with Title Suit No.92 of 2021 pending in the said court, as expeditiously as possible, preferably within four weeks from the date of communication of this order to the court below, upon

giving opportunity to the both sides to file their pleadings in respect of the said applications and to advance their arguments.

The petitioners shall communicate this order along with a server copy thereof to the learned advocate appearing for the plaintiff/opposite party nos.1 and 2 in the court below as well as the opposite party nos.1 and 2 directly and to the trial court, along with server copies of this order, at the earliest.

The parties as well as the trial court shall act on the communication of the order by the learned advocate for the petitioners, accompanied by a server copy of this order, without insisting upon prior production of a certified copy.

There will be no order as to costs.

Urgent website certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)