

11.11.2021
(S/L-54)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 1370 of 2021

Indo Thai Flexible Tubes Ltd. & Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Haradhan Banerjee,

Mr. Amitava Pain,

Mr. Subhrangshu Datta,

... For the Petitioners.

Mr. Jaydip Kar,

Mr. Debdeep Sinha,

Mr. Tanjir Ali,

.... For the Opposite Parties.

Affidavit-of-service filed on behalf of the petitioners be kept with the record.

Title Suit No. 122 of 2007 was dismissed for default and for restoration of it, the petitioners filed a Misc. Case being Misc. Case No. 18 of 2016 which was also dismissed for default.

The petitioners have filed connected Misc. Case no. 70 of 2021 for restoration of the said Misc. Case no. 18 of 2016.

Mr. Haradhan Banerjee, learned senior advocate appearing on behalf of the petitioners submits that the petitioners although are aggrieved by the order dated July 23, 2021 passed in the said Misc. Case no. 70 of 2021 whereby the learned Trial Judge refused to hear the application for injunction filed by the petitioners in the said Misc. Case without notice to the opposite parties but the opposite parties

since have already entered appearance in the said Misc. Case and the Court below is hearing the said Misc. Case and the application for injunction, the revisional application may be disposed of with a direction to the Court below to decide the said Misc. Case and the application for injunction thereto expeditiously.

As suggested by Mr. Banerjee, C.O. 1370 of 2021 is disposed of with a request to the 6th Court of learned Civil Judge (Junior Division), Howrah to dispose of the Misc. Case no. 70 of 2021 and the application for injunction thereto filed by the petitioners expeditiously, preferably within a period of eight available working weeks of the said Court from the date of communication of this order and in doing so, the learned Trial Judge shall not grant any unnecessary adjournment to either of the parties.

There shall be no order as to costs.

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.)