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Ct. 18  
26.11.2021

**C.O. No. 1386 of 2021  
(Via Video Conference)**

**Sri Maharghya Mukherjee & Anr.  
Vs.  
Akhil Bharat Jai Guru Sampradaya & Ors.**

Mr. Supriyo Chattopadhyay,  
Mr. Sudip Kr. Maiti,  
Ms. Shraddha Satpati ... For the petitioners.

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

None appears on behalf of the opposite parties in  
spite of service.

The present revisional application under Article 227  
of the Constitution of India is directed against the  
order dated July 26, 2021 passed by the 1<sup>st</sup> Court of  
learned Additional District Judge at Barasat, District –  
24 Parganas (North) in the said suit being Title Suit  
No. 02 of 2021.

The learned Trial Judge by the order impugned has  
refused the prayer of the plaintiffs/petitioners for an  
ad interim order of injunction on an application filed  
by them in the said suit under Order XXXIX Rules 1  
and 2 of the Code of Civil Procedure.

The prayer of the petitioner for an ad interim order  
was refused in the month of July, 2021 as such  
urgency for grant of an ad interim order of injunction  
to far extent has been diluted.

This Court under such circumstances is of the opinion justice would be sub-served if the pending application for injunction is disposed of expeditiously.

C.O. 1386 of 2021 is disposed of with a request to the Court below to decide the application for injunction on merit without being influenced by any of the observations made in the order impugned.

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.)