

24.9.  
2021

**CO 1405 of 2021**

**Biplabankur Roychowdhury & Ors.**

**-vs-**

**M.P. Jewellers (G.B.) & Co. & Ors.  
( Via Video Conference )**

Mr. Debarik Banerjee,  
Mr.Siddhartha Basu

**... for the petitioners**

Mr. Arindam Banerjee,  
Mr. Biswajit Kumar ,  
Mr. R. Baliyal,  
Mr. D. Sen

.... For the opposite party

This is an application for expeditious hearing of the application under Order 39 Rules 1 and 2 of CPC in connection with Title Suit No. 937 of 2017 pending before the learned Civil Judge ( Senior Division ), 6<sup>th</sup> Court at Alipore.

Learned advocate for the petitioner draws the attention of the Court to an order dated June 17, 2021 wherein a Coordinate Bench directed the learned trial Judge to dispose of the application under Order 39 Rules 1 and 2 of the Code within a period of 45 days from the date of the order.

Heard learned advocates appearing for the parties.

It has been uniformly submitted by the learned advocates for the parties that the next date is fixed on September 28,2021 in the Court below and the Presiding Officer has also joined in the meantime.

The grievance of the petitioner is that though the time limit fixed by the Co-ordinate Bench on an earlier

occasion has long expired, the application for injunction is yet to be disposed of. .

CO 1405 of 2021 is disposed of by requesting the learned Civil Judge ( Senior Division ), 6<sup>th</sup> Court at Alipore to take up the hearing of the application under Order 39 Rule 1 and 2 of the Code of Civil Procedure on the next date fixed i.e. on September 28,2021 and to make all endeavours to dispose of the same as expeditiously as possible and preferably by November 30, 2021 without granting any unnecessary adjournments to either of the parties .

Urgent photostat certified copy of this order, if applied for, be given to the learned advocate for the parties on usual undertakings.

( **Hiranmay Bhattacharyya, J.** )