

(05)
20.09.2021
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

(Via Video Conference)

CO No. 1494 of 2021

**Gopal Karmakar
-versus-
Sanjay Kansal & ors.**

Mr. Kushal Chatterjee,
Mr. Saptarshi Kumar Mal,

... For the petitioner.

Mr. Aniruddha Mitra,
Mr. Dhilon Sengupta,
Mr. Anirban Ghosh, ... For O.P. No. 1.

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

Mr. Chatterjee, learned counsel appearing on behalf of the petitioner submits that the plaintiff has filed an application in the suit under Section 151 of the Code of Civil Procedure praying implementation of the order of injunction passed in the suit by police assistance.

He prays for a direction upon the learned Trial Judge for expeditious disposal of the said application.

Mr. Mitra, learned counsel appearing for the defendant no. 1/opposite party, submits that the plaintiff has filed the said application only on last Friday (September 17, 2021). He further submits that his client intends to file written objection to the said application.

The said application under Section 151 of the Code since has been filed by the plaintiff/petitioner only few days earlier and defendants have a right to file written objection to the said application for which some time is required, it is, therefore, too pre-matured to direct the learned Trial Judge to dispose of the said application within a specific time limit.

However, in view of the nature of the relief sought for by the said application, its disposal may be expedited subject to the convenience of the learned Trial Judge.

C.O. 1494 of 2021 is thus disposed of without any order as to costs.

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

(Biswajit Basu, J.)