

20.09.2021
(S/L-12)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 1571 of 2021

Smt. Prtaima Neogi

-Vs-

Sri Dipayan Chakraborty

Mr. Sayantan Bose,

Ms. Madhurima Das,

..... For the petitioner.

The order proposed to be passed in the present revisional application under Article 227 of the Constitution of India would not cause any prejudice to the opposite party, as such, service of notice of the present revisional application upon the said opposite party is dispensed with.

The petitioner is the plaintiff of the Money Suit being Title Suit no. 376 of 2017 pending before the 1st Court of learned Civil Judge (Senior Division) at Barasat.

The petitioner complains inordinate delay in disposal of her application for injunction filed in the suit way back in May 16, 2017.

Ms. Madhurima Das, learned advocate appearing on behalf of the petitioner submits that the opposite party has entered appearance in the suit and has already filed affidavit-in-opposition to the said application for injunction and her client has filed reply thereto.

The application, therefore, is ready for hearing.

An application under Order XXXIX Rules 1 & 2 of the Code of Civil Procedure, by its nature, demands expeditious disposal, pendency of such an application for four years despite breaking out of COVID-19 pandemic, cannot be appreciated.

The learned Trial Judge, therefore, is requested to dispose of the said application within a period of three working months from the date of communication of this order and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 1571 of 2021 is disposed of with the above direction without any 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.)