

23.9.
2021

CO 1675 of 2021

Shashi Gutgutia

-vs-

Rishabh Gutgutia

(Via Video Conference)

Mr. Mainak Bose
Mr. Neeraj Kumar Pandey,
Mr. Shakeel Mohammad Akhter
... for the petitioner

This is an application for expeditious hearing of the application filed by the petitioner under Order 39 Rules 1 and 2 of the Code of Civil Procedure in connection with T.S. No. 120 of 2021 pending before the learned Civil Judge (Senior Division), 1st Court at Asansol.

Record reveals that the learned trial Judge was of the view that the application for injunction is to be heard in presence of the opposite party since the opposite party has already appeared in the suit. It further appears from the information slip annexed to the application that the copy of the plaint as well as injunction application has been served upon the opposite parties.

In view of the order sought and proposed to be passed there is no necessity of issuing any notice upon the opposite party. However, the petitioner shall be obliged to forward a copy of this application as well as this order upon the opposite party or his learned advocate before the Court below forthwith

CO 1675 of 2021 is disposed of by requesting the learned Civil Judge (Senior Division), 1st Court at Asansol to take up the hearing of the application for injunction on the next date fixed, if the same is

otherwise ready for hearing , and to dispose of the same as expeditiously as possible and preferably within a period of four weeks from the next date fixed 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.)**