

12,Ct.18
07.10.2021
AJ.

C.O. 1594 of 2021

Sri Sridam Koley & Ors.

-Vs-

B.L. & L.R.O., Chanditala II, Dankuni & Ors.

Mr. Kajal Roy,
....for the petitioners.

The order proposed to be passed in the present 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 application upon the said opposite party is dispensed with.

The petitioners of the present application are the plaintiffs of Title Suit No. 306 of 2019. The petitioners in the said suit have filed an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure praying for an appropriate order of injunction.

The petitioners complain that by the order No.9 dated February 08, 2021, the learned Trial Judge although has recorded that 'heard the learned advocates in full (of the plaintiff)' but is fixing dates for hearing of the said application for injunction again.

The petitioners pray for a direction upon the learned Trial Judge for expeditious disposal of the said application.

It appears from the record that the learned Trial Judge has recorded conclusion of hearing of the said application for injunction but in the subsequent order i.e. Order No. 14 dated September 30, 2021 has fixed November 18, 2021 for proper step by the defendant no.1 and for ex-parte hearing of the application for injunction.

C.O. 1594 of 2021 is disposed of requesting the learned Trial Judge to dispose of the said application for injunction if the hearing of the said application is concluded and if not, hear the said application and dispose of it expeditiously without granting any unnecessary adjournment to either of the parties.

There shall be no order for 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.)