

17.09.2021
Item No.8
Ct. No.7
CHC
(Disposed of)

**C.O.1621 of 2021
(Via Video Conference)**

**WEST BENGAL HOUSING BOARD
Vs.
KAJAL JANA & ors.**

Mr. Anirban Ray,
Mr. Snehashis Sen,
Mr. Abhishek Banerjee,
Mr. Varun Kothari
...for the petitioner

The Court is approached under Article 227 of the Constitution of India, soliciting a direction to ensure expeditious disposal of vacating application filed by the petitioner on 8th November, 2019.

Mr. Anirban Ray, learned advocate representing the petitioner/West Bengal Housing Board submits that upon making complete suppression of material facts, opposite parties/plaintiffs obtained an ad interim order of injunction. Immediately upon knowing the ad interim order of injunction, the petitioner has filed an application referred above intending to vacate the ad interim order of injunction passed in this case, which is kept pending causing the petitioner to suffer extreme hardship and prejudice touching valuable rights of the petitioner as

against the expeditious disposal of the pending vacating application.

In view of the nature of the order proposed to be made in this case, and the point raised, sought to be addressed by this Court, the Court is of the view that the point is very short and simple requiring no extensive hearing and the same may even be instantly disposed of without securing presence of the opposite parties. Accordingly, service of notice upon the opposite parties stands dispensed with.

Learned Civil Judge (Senior Division), 1st Court, Howrah, in T.S.444 of 2019, is directed to dispose of the vacating application filed by the petitioner either on the date scheduled by the learned court below, or if for any reasons whatsoever, the same could not be done, the vacating application may be disposed of peremptorily within eight weeks thereafter, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

The petitioner is directed to make communication of this order the learned court below as well as to the opposite parties and their learned advocate so that the next date scheduled by the court below or the dates to be fixed thereafter, may be utilized in order

to ensure expeditious disposal of pending vacating application against the ad interim order of injunction.

With this direction/observation, the instant revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)