

27.09.2021
(S/L-18)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 1596 of 2021

Sri Balaram Nayek & Ors.

-Vs-

Sri Sujan Dolai & Ors.

Ms. Usa Maiti,
Mr. Sakya Maity,

... For the Petitioners.

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 parties, as such, service of notice of the present revisional application upon the said opposite parties is dispensed with.

The petitioners are the plaintiffs in a suit for declaration of title and injunction being Title Suit No. 478 of 2016.

The plaintiffs apprehending dispossession from the suit property, filed an application under Order XXXIX Rules 1 & 2 of the Code of Civil Procedure in the said suit.

The petitioners are complaining inordinate delay in disposal of the said application.

Mrs. Usha Maiti, learned counsel appearing on behalf of the petitioners submits that although in the prayer portion of the application the petitioner has prayed for implementation of an order passed in an another revisional

application but the petitioners, in fact, are praying for a direction upon the learned Trial Judge for expeditious disposal of the said application for injunction as the said application is otherwise ready for disposal.

The application under Order XXXIX Rules 1 & 2 of the Code, by its nature, requires expeditious disposal.

It appears from the record that the said application for injunction was filed way back on July 12, 2016.

Pendency of the said application for such a long time is not appreciated.

The said application, if otherwise is ready for disposal, the learned Trial Judge is requested to dispose of the said application as expeditiously as possible, preferably within a period of two effective 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. 1596 of 2021 is disposed of with the above terms 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.)