

C.O. 1985 of 2021

**Sanjay Kansal
Vs
Murari Mohan Karmakar and Ors.
(Through Video Conference)**

Mr. Rupak Ghosh
Mr. S. Mishra

..... for petitioner

Learned advocate appearing for the petitioner submits that Title Suit No. 114 of 2021 is pending before the learned Civil Judge (Junior Division), Bidhannagar and where the petitioner has filed an application under order 39 Rule 4 of the Civil Procedure Code for vacating of the ex-parte ad interim injunction order dated 22nd March, 2021, but learned Court below without recording any reason has been extending the ad interim order dated 22nd March, 2021 and without making any effort to dispose of the application under order 39 Rule 4 CPC filed by the petitioner. Therefore, he prays Ld. Court below may be directed to dispose of the pending application under order 39 Rule 4 CPC expeditiously without granting further adjournments to the parties.

Since the petitioner has prayed for expeditious disposal of pending application under order 39 Rule 4 CPC there is no possibility of causing any prejudice to the opposite parties.

Further having regard to the nature of relief claimed, I see no reason to put the opposite parties on notice.

Service of notice on the opposite parties is dispensed with.

Accordingly, C.O. No. 1985 of 2021 is hereby disposed of with a request to the learned Civil Judge (Junior Division), Bidhannagar to dispose of the pending application under order 39 Rule 4 CPC at the earliest and in any event, within a period of one month from the date of receipt of this order.

There will be no order as to costs.

Urgent Photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Kesang Doma Bhutia, J.)