

**HAWAI CO-OPERATIVE HOUSING SOCIETY
LIMITED VS. M/S. DESIGNERS BAY & ORS.**

**Mr. Dhiraj Trivedi
Ms. Abha Tiwari
..for the petitioner**

This revisional application has been filed by the Defendant no.1 in Title Suit No.1945 of 2018, pending before the learned Additional Civil Judge, Junior Division, 1st Court, Alipore, District South 24 Parganas.

The petitioner prays for expeditious disposal of the application for injunction as also the application filed under Order 7 Rule 11 of the Code of Civil Procedure. The attention of the Court is drawn to the order dated November 11, 2019 passed by the Additional District Judge, Fast Track Court, Alipore, in Misc. Appeal No. 10 of 2019. By the said order, the learned lower appellate Court while dismissing the appeal preferred by the petitioner directed the learned Trial Judge to dispose of the injunction application within a month. It is submitted that the said application has not yet been disposed of.

Under such circumstances, taking into consideration the innocuous prayer made by Mr. Trivedi, this Court is of the opinion that the learned Additional

Civil Judge (Junior Division), 1st Court, Alipore should be directed to dispose of the pending applications expeditiously preferably within a period of two months from the date of communication of this order after affording an opportunity to the contesting parties to file their respective objections.

This Court has not gone into the merits of claims and counterclaims of the parties and the learned Court below shall proceed in the matter independently and in accordance with law and on the merits of the applications.

This revisional application is disposed of.

The petitioner is directed to serve copies of the revisional application along with the server copy of this order upon the opposite parties and also the learned Advocate for the opposite parties in the learned Court below within a week from date.

There will be however no order as to costs.

Urgent photostat certified copy of this order be given to the parties on priority basis, if the same is applied for.

(Shampa Sarkar,J.)

