

08.01.2021
Sl. No. 18
srm

C.O. No. 1660 of 2020
Smt. Bani Majumder
Vs.
Sri Biswajit Chatterjee & Ors.

Mr. Bhudeb Chatterjee,
Mr. Basudeb Ghosh,
Mr. Pankaj Kumar Nath

...for the Petitioner.

This is an application filed by the plaintiff in Title suit No.594 of 2020 praying for an order upon the learned Civil Judge (Junior Division), 5th Court at Alipore for expeditious disposal of the application filed under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure.

It is submitted that the service upon all the opposite parties/defendants is complete and the Court records reveal so. Learned Advocate for the petitioner also hands up track reports showing service upon the opposite parties and such copies of the track reports have also been submitted before the learned Court below.

Thus, in my opinion, if the service of the application is complete then, I do not find any impediment on the part of the learned Court below to consider the prayer for injunction on the next date upon allowing the opposite parties to file written objection and contest the proceeding.

The learned Court below is requested to dispose of the application under Order XXXIX Rules 1 and 2 as expeditiously as possible within a period of two months from the next date fixed.

This Court has not gone into the merits of the claim and counterclaim of the parties.

The learned Advocate-on-record for the petitioner is directed to serve copies of this revisional application upon the opposite parties along with a server copy of this order within a period of seven days from date.

This revisional application is, thus, disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)