

03.02.2022
Ct. 21
D/L 26
ab

C.O. 4 of 2022
(Via Video Conference)

Union of India & Anr.
-Vs-
M/s. Dynamic International

Mr. Naba Kumar Das,
... for the petitioners

Mr. Naba Kumar Das, learned advocate appears for the petitioners.

It has also come on record that an Hon'ble coordinate Bench of this Court in C.O. 3128 of 2018 (Union of India & Ors. Vs. M/s. Dynamic International), was pleased to direct the Civil Judge (Junior Division), 2nd Court, Paschim Medinipur to dispose of all the pending applications in O.S. No. 151 of 2014 within a period of six months from the date of communication of the order. Such order was passed on 05.12.2019.

From the order sheets of the learned Court below annexed to the revisional application, it appears that even after lapse of one year, the learned Court below has not been able to dispose of those pending applications as well as Misc. Case No. 15 of 2014.

Now, by the present revisional application, the petitioner has once again prayed that necessary direction may be given to the Court below for early disposal of the injunction application.

From the order sheets of the learned Court below passed in connection with O.S. No. 151 of 2014, it appears that due to pandemic situation as well as due

to resolution of the local Bar, the parties have remained absent and the case was adjourned till 21.01.2021. Therefore, I do not find any latches on the part of the learned Court below not being able to dispose of the pending applications within six months, as directed by the Hon'ble coordinate Bench of this Court prior to world was affected by Covid Pandemic.

However, the learned Civil Judge (Junior Division), 2nd Court, Paschim Medinipur is once again requested to see that the application under order 39 Rules 1 and 2 of the Code of Civil Procedure is disposed of within a period of one month from the date of communication of this order, without granting any adjournment whatsoever to any of the parties. Parties are directed to co-operate with the learned Court below.

Accordingly, the revisional application being **C.O. 4 of 2022** is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order duly downloaded from the official website of this Court.

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

(**Kesang Doma Bhutia, J.**)