

26.04.2022
Item No.6
Ct. No.7
CHC
(disposed of)

**C.O.324 of 2022
(Physical Hearing)**

**Sri Phul Chand Das
Vs.
Sri Rabisankar Saha**

Ms. Manika Sarkar
...for the petitioner

A direction to secure expeditious disposal of an application for temporary injunction is the ultimate relief sought for in this case.

The only contention expressed by the learned advocate for the petitioner is against the delay caused in the disposal of injunction application.

Admittedly, the suit was registered sometimes in 2017, and on the date of submitting the plaint, application for injunction was filed. Since, there was a Caveat lodged at the instance of the opposite party, the injunction application could not be taken up for hearing without providing an opportunity of hearing to other side.

In view of the nature of order proposed to be made in this case, no prior notice is considered to be necessary. Service upon the opposite party is thus dispensed with.

Accordingly, learned Civil Judge (Junior Division), 1st Court, at Barasat, in Title Suit No.547 of 2017, is

requested to ensure expeditious disposal of injunction application under Order 39 Rule 1 and 2, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

Petitioner is directed to make communication of this order to the learned court below as well as to the learned advocate appearing in the court below for the opposite party and opposite party.

With this observation/direction, the revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)