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AKG 11-03-2022  
Ct.21

C.O. 523 of 2022  
DR Goutam Kumar Bysack  
Versus  
The Institution of Engineers (India) West Bengal Centre & Anr.

Mr. Subhojit Saha,  
Mr. Aniket Chaudhury  
...for the Petitioner  
Mr. Debasish Ghosh,  
Mr. Nilotpal Chatterjee,  
Mr. Nilanjan Adhikari  
...for the Opposite Parties.

Parties are represented by their respective lawyers.

The revisional application is taken up for hearing.

The plaintiff/petitioner being aggrieved by the order dated 28.02.2022 passed by the learned 4<sup>th</sup> Civil Judge (Junior Division), Alipore in Title Suit No. 730 of 2022 for granting their prayer of preponing the date of hearing from 21.04.2022 and fixing the case for hearing of the injunction application on 23.03.2022 has preferred the instant revisional application.

Learned advocate appearing for the opposite parties submits that the present revisional application is not maintainable as the impugned order has not decided any cause or prejudiced the rights and interest of the plaintiff/petitioner. Rather, by passing the impugned order the learned Court below has allowed the prayer made by the plaintiff.

Perused the impugned order, I find substance in the submission made by the learned advocate appearing for the opposite parties.

This Court is also of the view that the present revisional application is not maintainable as no order affecting the rights and interest of the plaintiff has been passed.

Accordingly, the revisional application being **C.O. 523 of 2022** is disposed of.

Interim order, if any, stands vacated.

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.)**