

DL. March 21,
17. 2022

F.M.A. 1211 of 2021

Smt. Savita Devi Mall & anr.
Vs,
AVS Global Private Limited & ors.

Mr. Debasish Roy,
Mr. Sourav Sen,
Mr. Pran Gopal Das,
...for the appellants.

Mr. Suddhasatwa Banerjee,
Mr. Rahul Poddar,
...for the respondents no. 1 and 2.

Mr. Satadeep Bhattacharyya,
Mr. Mehboob Rahman,
...for the respondent no. 3.

Considering the anxiety expressed on behalf of the appellants and after going through the report submitted by the learned Civil Judge (Senior Division), Seventh Court at Alipore, South 24-Parganas, that the injunction application is still pending, we request the learned trial judge to dispose of the application for temporary injunction filed under Order XXXIX Rules 1 and 2 read with Section 151 of the Code of Civil Procedure as expeditiously as possible, preferably within a period of three months from the date of completion of the pleadings.

On the prayer of the learned advocates appearing on behalf of the respondents that time may be given to their clients to file objection to the application for temporary injunction, we direct the defendants/respondents to file written objection to the application for temporary injunction by March 24, 2022; reply thereto, if any, by March 29, 2022.

We trust and hope that the learned trial judge shall not

grant any more time to any of the defendants, who would not be able to file written objection within the time, as stipulated above, thereby prolonging the injunction matter.

We make it clear that the directions, as aforesaid, are peremptory and mandatory and in the event no objection is filed within the time stipulated, as above, the trial court shall decide the injunction matter on the basis of the materials available on record.

We make it clear that we have not gone into the merits of the matter and all points are left open to be decided by the learned trial judge in accordance with law.

With the aforesaid observation, the appeal and all connected applications stands disposed of even at the admission stage.

There will be no order as to costs.

dns

(Ajoy Kumar Mukherjee, J.)

(Soumen Sen, J.)