

07.04.2022
Item No.34
Ct. No.7
CHC
(disposed of)

**C.O.699 of 2022
(Physical Hearing)**

**Santanu Dam
Vs.
Tarun Das**

Mr. Arka Pratim Chowdhury,
Mr. Sunny Nandy,
Mr. Subha Pathak,
Mr. Tamal Singha Roy,
Mr. Bhaskar Bhattacharya
...for the petitioner

A direction to secure expeditious disposal of interlocutory application filed by the petitioner/defendant under Order 39 Rule 4 C.P.C. coupled with a separate petition under Order 7 Rule 11 C.P.C. is the ultimate relief sought for in this case.

Mr. Chowdhury, learned advocate appearing for the petitioner submits that the interlocutory applications referred hereinabove have been filed on 15th September, 2020, and since then, nothing has been tangibly done to secure disposal of two such interlocutory applications.

Admittedly, the petitioner has been suffering ad interim order of injunction passed by the learned court below.

In view of the nature of the order proposed to be made, service upon the opposite party is considered to

be not necessary. Service upon the opposite party is thus dispensed with.

Accordingly, learned Civil Judge (Junior Division) at Bidhannagar in Title Suit No.92 of 2020, is requested to ensure expeditious disposal of pending interlocutory applications filed by the defendant, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

While endeavouring such exercise, the learned court below may proceed with the disposal of the suit in the manner, as situation of the case would demand, so as to dispense with the justice in a best possible manner.

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

With this direction/observation 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.)