

19.04.2022  
26  
ct. no. 7  
sb

**C.O 768 of 2022  
(Physical Hearing)**

**Samitendra Narayan Dutta  
-vs-  
Dipendra Narayan Dutta & Ors.**

Mr. Samitendra Narayan Dutta  
...for the petitioner-in-person

A direction to secure the expeditious disposal of Misc. Appeal no. 15 of 2019, now pending before the learned Additional District and Session Judge, Baruipur, South 24 Parganas, is the ultimate relief as sought for in this case.

The petitioner appearing in person submits that the petitioner has already been favoured with ad interim order of injunction. A caveat was lodged before the first lower appellate court, and without serving a notice upon the petitioner/plaintiff, stay has been granted in Misc. Appeal.

Admittedly, the Misc. appeal was instituted in the year 2019.

In view of the nature of the order proposed to be made in this case, no prior notice is considered to be necessary.

The service upon the opposite party is thus dispensed with, so far as the present revisional application is concerned.

Accordingly, learned Additional District and Session Judge, Baruipur, South 24 Parganas in Misc. Appeal no. 15 of 2019 is requested to ensure the expeditious disposal of pending Misc. appeal, after causing disposal of interlocutory application, if there be any pending, providing sufficient opportunities of hearing to both the parties, but without granting any unnecessary adjournment to either of the parties, unless it is extremely unavoidable.

While endeavouring such exercise, the learned court below may proceed to dispose of the pending interlocutory application, upon ascertaining the existence of the caveat, if any, and then proceed with the disposal of the Misc. Appeal in the manner, as situation of the case would demand, so as to dispense with the justice in a best possible manner.

With this direction and observation, this revisional application stands disposed of.

Urgent photostat certified copy of this order duly applied for, be given to the parties upon compliance of all requisite formalities.

**(Subhasis Dasgupta, J.)**