

.19.04.2022
Item No.13
Ct. No.7
CHC
(disposed of)

**C.O.838 of 2022
(Physical Hearing)**

**Rajesh Kumar Sonthalia
Vs.
Sri Ardhendu Chatterjee**

Mr. Nilanjan Adhikari
...for the petitioner

A direction to secure expeditious disposal of pending interlocutory application filed by petitioner/defendant on 2nd December, 2020, for vacating the injunction order, is the ultimate relief sought for in this case.

Admittedly, the petitioner/defendant has been suffering ad interim order of injunction granted on 24th September, 2020.

Being aggrieved with the injunction order, petitioner/defendant took up an application on 2nd December, 2020 for vacating the injunction order.

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

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

Accordingly, learned Civil Judge (Junior Division), 2nd Court, Barasat, North 24 Parganas, in Title Suit No.323 of 2020, is requested to ensure disposal of vacating application, filed by the petitioner/defendant on 2nd December, 2020, read with application under Order 39 Rule 1 and 2 C.P.C, and order 39 Rule 4 C.P.C., 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 as well.

With this direction and 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.)