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**C.O. 972 of 2022**

**Sri Pradip Mitter  
Vs  
Jagannath Ganguly & Anr**

Mr. Dhiraj Trivedi, ... For the petitioner.  
Mr. Bikash Kumar Singh,

Mr. Supriyo Dutta, ... For the opposite party No. 1.

A direction to secure expeditious disposal of an application for temporary injunction under Order 39 Rules 1 and 2 of the Code of Civil Procedure, is the ultimate relief sought for in this case.

Mr. Dhiraj Trivedi, learned advocate appearing for the petitioner submits that petitioner/defendant admittedly has been suffering ad interim order of injunction, granted by the Trial Court. To challenge the injunction application, petitioner has already filed objection. But till date, the injunction application has not yet been disposed of, which was caused serious prejudice to the valuable rights of the petitioner/defendant.

Mr. Supriyo Dutta, learned advocate appearing for the opposite party No. 1 upon receiving a copy, supplied by learned advocate for the petitioner today in Court, submits that an opportunity of hearing must be ensured, while endeavouring disposal of temporary injunction application.

As per submission disclosed from the petitioner that the present injunction application is pending before the learned Judge, 11<sup>th</sup> Bench, City Civil Court, Calcutta in Title Suit No. 415 of 2019, where there is no regular Presiding Officer posted at the moment.

That being the position, learned Judge remaining in charge of the Court of learned Judge, 11<sup>th</sup> Bench, City Civil Court, Calcutta, in Title Suit No. 415 of 2019 is requested to ensure expeditious disposal of pending temporary injunction application under Order 39 Rules 1 and 2 of the CPC subject to his convenience and suitability, providing sufficient opportunity of hearing to either of the parties to this case, but without granting 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 parties and the opposite parties.

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

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

**(Subhasis Dasgupta, J)**

