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C.O. 1137 of 2022

**The National Highways Authority of India.
Vs
The State of West Bengal & Ors.**

Ms. Manika Roy ... For the petitioner.

Liberty is given to make necessary correction in the prayer portion as well as in cause title.

A direction to secure expeditious disposal of an application under Order 39 Rule 4 of the Code of Civil Procedure for modification and/or variation of the ad interim order of injunction, and or vacating the order of ad interim of injunction is the ultimate relief sought for in this case.

Admittedly petitioner being Natinal Highways Authority of India has been added in this case in aid of application under Order 1 Rule 10 of C.P.C.

Since there has been ad interim order of injunction granted in this case, the petitioner after being added party to this case filed the application referred hereinabove for vacating the ad interim order of injunction.

The only contention expressed by the learned advocate appearing for the petitioner is against the delay caused in the disposal of pending interlocutory application under Order 39 Rule 4 of the C.P.C., and as a result thereof the National level project has been

made to suffer serious consequence.

No other point is raised requiring address by this Court.

In view of the nature of the order proposed to be made in the cases referred above, no prior notice is considered to be necessary.

Service upon the opposite parties is thus dispensed with.

Accordingly learned Civil Judge, (Junior Division) Raiganj, Uttar Dinajpur in O.C. 30 of 2020 is requested to ensure expeditious disposal of interlocutory applications under Order 39 Rule 4 of the C.P.C., 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 as well.

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)

