

37 08.06.
AG 2022
M/R
KB
Ct
07

C.O. 1220 of 2022

**Sanat Manna
Vs.
Namita Pal & Ors.**

Mr. Debasis Sur,
Mr. Angshuman Patra ... For the petitioner.

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.

Admittedly the petitioner/defendant has been suffering ad interim order of injunction, since 24th January, 2018.

It is contended by the learned advocate for the petitioner that by reason of ad interim order of injunction, directing both the parties to maintain status quo, in respect of the suit property, the petitioner is not in a position to pursue construction, even after obtaining sanctioned plan for the purpose.

The only contention expressed by the learned advocate for the petitioner is against the delay caused in the disposal of temporary injunction application.

No other point is raised requiring address by this Court.

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

necessary upon the opposite parties.

Service of notice of this application upon opposite parties stands dispensed with.

Accordingly, learned Civil Judge (Senior Division), Chandannagore Hooghly, in Title Suit No. 9/18 is requested to ensure expeditious disposal of temporary injunction application under Order 39 Rules 1 and 2 of the Code of Civil Procedure, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournments, 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)