

13.06.2022
Item No.27
Ct. No.7
CHC
(disposed of)

C.O.1289 of 2022

Abul Kalam

Vs.

**Sk. Lal Mohammad since deceased rep. by his
legal heirs Alimun Nisha & ors.**

Mr. Subhasish Pachhal,
Mr. Rameshwar Sinha,
Mr. Swagatam Deb
...for the petitioner

A direction to secure expeditious disposal of Misc. Appeal No.29 of 2021, pending before the learned Additional District Judge, 5th Court, Howrah, is the ultimate relief sought for in this case.

Learned advocate appearing for the petitioner submits petitioner/defendant already lodged a Caveat in the first lower appellate court, and the first lower appellate court being oblivious of such Caveat, proceeded to grant injunction against the petitioner/defendant.

The only contention thus expressed by the petitioner is against the delay caused in the disposal of the instant Miscellaneous Appeal.

No other point is raised, requiring address by this Court.

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

Service of notice upon the opposite parties stands dispensed with.

Accordingly, learned Additional District Judge, 5th Court, Howrah, in Miscellaneous Appeal No.29 of 2021 is requested to ensure expeditious disposal above referred appeal, after causing disposal of interlocutory application, if there be any pending, 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 opposite parties and their advocate in the court below.

With this observation/direction, 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.)