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C.O. 1546 of 2022

**Sri Laxmi Prasad Das & Ors.
Vs
Goutam Prasad Gupta**

Mr. Pritam Majumdar,
... For the petitioner.

The subject matter of challenge is against the order dated 2nd March 2021 passed by the learned Civil Judge (Junior Division) Barrackpore in Title Suit No. 67 of 2021 granting ad interim order of injunction against the defendant.

Admittedly petitioners are the defendants suffering ad interim order of injunction.

It is contended by the learned advocate for the petitioners that without giving an opportunity of hearing, the prayer for ad interim order of injunction has been granted, and learned advocate frankly submits that taking resort to the provisions available under Order 39 Rule 4 of the Code of Civil Procedure, an application is thus required to be filed.

The order impugned is admittedly appealable one.

However, when petitioners intend to file an objection against the ad interim order of injunction, taking resort to the provisions available under Order 39 Rule 4 of the Code of Civil Procedure, the revisional application is thus disposed of giving opportunity to

petitioners to file objection against the injunction application under Order 39 Rule 4 of the Code of Civil Procedure within seven (07) days from the date of communication of this order.

Petitioners are 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 the opposite party.

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)