

04.03.2022
Item No.06
Court No.18
AJ.

C.O. 1802 of 2021

(Through Video Conference)

Smt. Bani Mullick

-Vs-

The Life Insurance Corporation of India

Mr. Aniruddha Chatterjee,
Mr. Rajarshi Dutta,
Mr. Vikas Baisya,
Mr. Rahul Poddar.
....for the petitioner.

Ms. Tanushree Dasgupta.
....for the opposite party.

The petitioner has suffered an order of eviction under Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 and aggrieved thereby has preferred the connected Misc. Appeal No. 44 of 2021 which is pending before the learned Chief Judge, City Civil Court at Calcutta.

The Appeal Court below by the order impugned has refused the prayer of the petitioner for an ad-interim order of injunction and directed the petitioner to put the opposite party on notice, the opposite party was directed to show cause within 30 days from the date of receipt of the said notice as to why the prayer of the petitioner for an order of injunction shall not be allowed.

The ground of urgency for grant of an ad-interim order of injunction has been diluted as the order impugned was passed way back on

September 27, 2021; this Court, therefore, is not inclined to interfere with the order impugned.

The opposite party has already entered appearance in the appeal. Justice would be subserved if the said appeal is directed to be disposed of expeditiously.

C.O. 1802 of 2021 is disposed of with a request to the Appeal Court below to dispose of the said application as expeditiously as possible in accordance with law, preferably within a period of two available effective working months of the said Court from the date of communication of this order and in doing so, shall not entertain prayer of the parties for any unnecessary adjournment.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)