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C.O. 2213 of 2022

**Smt. Asounia Sarkar & Ors
Vs
Aquil Ahmed Khan**

Ms. Sayani Ahmed, ... For the petitioners.

A direction to secure expeditious disposal of an interlocutory application under Section 151 of the Code of Civil Procedure, pending since one year, is the ultimate relief sought for in this case.

Admittedly, plaintiffs/petitioners were favoured with ad interim order of injunction. Since there has been violation of ad interim order of injunction, and plaintiffs have been dispossessed from the suit property, a prayer for amendment was allowed with an additional prayer for recovery of khas possession. But the amount of Court fees required to be paid deposited, could not be ascertained, and as a result of which petitioners were compelled to file an interlocutory application under Section 151 of the Code of Civil Procedure for ascertaining the valuation of the Court fees due to change in the circumstances.

No other point is raised requiring address by this Court.

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

Service upon the opposite party is thus dispensed with.

Accordingly, learned Civil Judge (Junior Division), Alipore in Title Suit No. 897 of 2019 is requested to ensure expeditious disposal of 151 application, providing sufficient opportunity of hearing to either of the parties to this case, but without granting unnecessary adjournments, unless it is extremely unavoidable, preferably within a period of eight weeks from the date of communication of this order. After causing disposal of the 151 application, the Court below may proceed to dispose of the temporary injunction application, if the same is otherwise ready for hearing, in order to ensure logical conclusion of the suit in an expeditious manner.

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)

