

17.01.2022
Ct. No.18
Item No.04
AJ.

C.O. 1913 of 2021
(Through Video Conference)

Palash Dey
-Vs-
Madhuchhanda Roy Gupta & Ors.

Mr. Arijit Bardhan,
Mr. Jayanta Samanta.
... for the petitioners.

Mr. Ravi Kumar Dubey.
....for the opposite party no.1.

Mr. Sarwar Jahan.
....for the opposite party no.2.

The revisional application is directed against an ad-interim order of injunction being Order No. 2 dated September 23, 2021 passed by the learned District Judge, 24-Parganas (South), Alipore in Miscellaneous Appeal No. 187 of 2021.

The ad-interim order of injunction was passed in the month of September 2021, all the parties have appeared in the said appeal.

This Court is of the considered opinion that any decision on merit in the present revisional application may cause prejudice to either of the parties, therefore justice would be sub-served if the connected miscellaneous appeal is directed to be disposed of expeditiously.

C.O. 1913 of 2021 is disposed of with a request to the learned District Judge to dispose of the said appeal expeditiously either by keeping it

in his own file or by transferring it to any other competent Court subordinate to him.

The appeal court below shall make all endeavour to dispose of the said appeal 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 grant any unnecessary adjournment to either of the parties.

The respondents of the said appeal are at liberty to file their written objection to the application for injunction filed in the said appeal within two weeks from date; reply thereto, if any, be filed within one week from the date of receipt of the copy of such written objection.

It is made clear that this Court has not gone into the merit of the respective cases of the parties, it is for the appeal Court below to decide the same in accordance with law.

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.)