

08.07.2022
(D/L-06)
Ct.-18
(Susanta)

C.O. 2002 of 2021

Smt. Smriti Lekha Das & Anr.
-Vs-
Acharjeepara Residence represented by
Smt. Rita Biswas & Ors.

Mr. Debasish Chattopadhyay,
Mr. Tirthankar Basu,
.... For the Petitioners.

Mr. Rajdeep Bhattacharya,
Md. I.A. Lodhi,
.... For the O.P No. 1-3.

Mr. Arunava Banerjee,
Ms. Mamata Dutta,
.... For the O.P. No. 3,
Halisahar Municipality.

The revisional application under Article 227
of the Constitution of India is at the instance of the
defendants in a suit for declaration and
injunction.

The learned Trial Judge refused the prayer of
the plaintiffs for an ad interim order of injunction.
Aggrieved thereby the plaintiffs have preferred the
connected Miscellaneous Appeal no. 26 of 2021
pending before the 1st Court of learned Additional
District Judge, Barrackpore, District 24-Parganas
(North).

The Appeal Court below by the order
impugned being order No. 3 dated July 9, 2021
after admitting the said appeal has directed the
parties to maintain *status quo* in respect of the
subject matter of the suit property and not to

install any 5G Mobile Network Tower upon the suit property till July 30 of 2021.,

This Court is informed that July 12 of 2022 is the next date fixed for hearing of the said appeal.

This Court is of the opinion that justice would be subserved if the said appeal is directed to be disposed of expeditiously.

In view thereof, the Appeal Court below is requested to dispose of the said appeal expeditiously in accordance with law preferably within a period of two available effective working months of the said Court and in doing so shall not grant any unnecessary adjournment to either of the parties.

It is made clear that this Court has not gone into the merit of the order impugned.

C.O. 2002 of 2021 is disposed of with the above terms without any 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.)