

23.09.2022  
Item No.8  
Ct. No.7  
CHC  
(disposed of)

**C.O.2860 of 2022**

**Sri Sudip Kumar Dutta @ Sudip Kr. Dutta  
Vs.  
M/s. Lokenath Projects @ M/s Loknath Project &  
anr.**

Mr. Aniruddha Chatterjee,  
Mr. Arijit Bardhan,  
Mr. Vivekananda Bose,  
Ms. Deblina Chatterjee  
...for the petitioner

Mr. Bhaskar Ghose, Senior Advocate  
Mr. Arun Das,  
Mr. Siddhartha Paul  
...for the opposite parties

The only submission advanced by Mr. Chatterjee, learned advocate appearing for the petitioner is that hearing of application under Order 7 Rule 11 C.P.C. has been concluded on 1<sup>st</sup> September, 2022, and the delivery date of order has been scheduled on 3<sup>rd</sup> November, 2022.

It is thus proposed by Mr. Chatterjee, that delivery date of the order could have been made a little bit earlier.

Mr. Ghose, learned Senior Advocate appearing for the opposite parties draws attention of this Court to the order passed in C.O.1892 of 2022, wherein there has been a direction upon the court below, that the court below shall dispose of the application under

Order 7 Rule 11 C.P.C. first before the application for injunction, and must be within one available working month of the said court, from the date of filing of the said application.

Mr. Ghose also submits that the court below would adhere to comply the direction of the court below, in the absence of anything others to the contrary prevailed at the moment.

Under the circumstances, there is no scope for any elaboration. When hearing has already been concluded, and date has been fixed for delivery of the order, this Court thus dispose of the revisional application reposing trust and confidence upon the court below, that the order of application under Order 7 Rule 11 C.P.C. may be delivered, doing adherence to the direction passed by this Court in C.O.1892 of 2022 after having understood the purport and message conveyed therein.

This would not, however, prevent the court below to deliver the order, if made ready, immediately after reopening of Puja Vacation of the court below, upon due notice to the opposite parties, if necessary upon preponement of the date.

Parties are directed to make communication of this order to the learned court below.

With this observation/direction, the revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

**(Subhasis Dasgupta, J.)**