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C.O. 2984 of 2022

**Bapi Halder @ Bapi Ram Halder & Ors
Vs
Elai Box Molla**

Mr. Gobinda Ch. Baidya,
... For the petitioners.

A direction to secure expeditious disposal of an interlocutory application under Order 39 Rule 4 CPC filed by the petitioners/defendants, is the ultimate relief sought for in this case.

The only contention expressed by the petitioner is that hearing of application under Order 39 Rule 4 CPC is getting delayed by reason of the ad interim order of injunction being granted on the prayer of the opposite party/plaintiff.

No other point is raised requiring address by this Court.

Admittedly, petitioners have been suffering ad interim order of injunction.

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 (Senior Division), 1st Court, Baruipur in Misc. Appeal No. 10 of 2018 is requested to ensure expeditious disposal of

such interlocutory application, referred hereinabvoe, providing sufficient opportunity of hearing to either of the parties, but without granting unnecessary adjournment, unless it is extremely unavoidable.

This would not, however, prevent the Court below in appeal to hear out the appeal finally together with the application under Order 39 Rule 4 CPC with utmost expedition, preferably before the end of April 2023.

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)