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Ct. 18
14.03.2022

**C.O. No. 3731 of 2019
(Via Video Conference)**

Sri Sunil Dhara & Ors.

Vs.

**Sri Sri Raghunath Jew Thakur and Sri Sri
Durgamata Thakurani, represented by their
following Shebaites, namely, Sri Arup Kumar Pal
& Ors.**

Mr. Bratin Kumar Dey ... For the petitioners.

Mr. Rabindranath Mahato,
Mr. Aritra Shankar Ray ... For the O.P. Nos. 1 to 7.

The plaintiffs in a suit for declaration of title and injunction are the petitioners of the present application under Article 227 of the Constitution of India which is directed against Order No. 12 dated September 04, 2019 passed by the 2nd Court of learned Civil Judge, (Junior Division), Paschim Medinipur in Title Suit No. 42 of 2019.

The ad interim order of injunction was not extended for the failure of the plaintiffs to take steps on the date fixed for extension of the said order.

The petitioners filed an application under Section 151 of the Code of Civil Procedure for recalling of the said order.

The learned Trial Judge by the order impugned has dismissed the said application.

The prayer of the petitioners for extension of the ad interim order of injunction since was refused way back on July 29, 2019, justice would be subserved if the pending application for injunction is directed to be disposed of expeditiously.

In view of the aforesaid, C.O. 3731 of 2019 is disposed of with a request to the learned Trial Judge to dispose of the application filed by the plaintiffs under Order XXXIX Rules 1 and 2 of the Code as expeditiously as possible in accordance with law, preferably within a period of two effective available working months of the said Court from the date of communication of this order, if the said application is otherwise ready for such disposal and in doing so shall not grant any unnecessary adjournment to either of the parties.

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.)