

12.12.2022
Item No.19
Ct. No.7
CHC
(disposed of)

C.O.3164 of 2022

**Sri Moloy Roy & ors.
Vs.
Sri Prasenjit Naskar & ors.**

Mr. Ashim Kumar Routh,
Ms. Manishka Dhar,
Ms. Ananya Mondal
...for the petitioners

The only contention expressed by the petitioners is that stay petition in connection with Misc. Appeal No.94 of 2022 challenging the ad interim order of injunction granted by the trial court, cannot be kept pending for an indefinite period of time due to non availability of the lower court records.

No other point is raised requiring address by this Court.

In view of the nature of order proposed to be made in this case, no prior notice is considered to be necessary.

Service upon the opposite parties stands dispensed with.

The revisional application stands disposed of directing the court below to hear out the stay petition in connection with Misc. Appeal No.94 of 2022, pending before the learned Civil Judge (Senior Division), 2nd Court, Barasat, North 24 Parganas,

providing sufficient opportunity of hearing, to either of the parties to this case, preferably before the end of winter vacation of the court below, if necessary upon preponing the date already fixed with notice upon the other sides.

Petitioners are directed to make communication of this order to the learned court below as well as to the opposite parties and their learned advocate in the court below.

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.)