

Item No. 123
16.06.2023
Court. No. 19
GB

C.O. 663 of 2023

Tapan Chowdhury @ Tapan Hore Chowdhury
Vs.
Santwana Saha & Ors.

Mr. Soumyajit Mukherjee

...for the Petitioner.

The petitioner is the defendant no.1 in Title Suit No.271 of 2021 pending before the learned Civil Judge (Senior Division), Basirhat, District – 24 Parganas (North).

The petitioner prays that the application under Order 39, Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, be disposed of expeditiously.

Upon perusal of the order sheet, it appears that the injunction application has been kept pending and the ad interim order is being extended from time to time. As the written objection has already been filed by the defendants, the prayer for early disposal of the temporary injunction application is being made.

This Court has neither gone into the merits of the suit nor into the merits of the applications. An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite parties, is not required. The prayer is innocuous.

Under such circumstances, this Court directs the learned Civil Judge (Senior Division), Basirhat to dispose of the application for temporary injunction upon considering

the objection of the defendant no.1 in accordance with law and pass necessary orders as the learned court below may deem fit, within two months from the next date fixed, without granting unnecessary adjournments to either of the parties. After disposal of the aforementioned application, the learned court shall make all endeavour to ensure that the suit progresses expeditiously.

Accordingly, the revisional application is disposed of.

However, there will be no order as to costs.

Petitioner is directed to serve a copy of the revisional application upon the opposite parties, along with the server copy of this order.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)