

28.06.2023
Sl. No.298(DL)
srm

C.O. No. 819 of 2023

Swami Gopalananda Giri

Versus

Sree Guru Bholananda Ashram & Ors.

Mr. Sounak Bhattacharya,
Mr. Chandra Nath Sarkar,
Mr. Sounak Mandal,
Mr. Anirban Saha Ray

...for the Petitioner.

The petitioner prays for expeditious disposal of the application for temporary injunction along with the application filed under Order XXXIX Rule 4 of the Code of Civil Procedure, in connection with the Title Suit No.417 of 2021 pending before the learned Civil Judge (Junior Division), 2nd Court at Barrackpore, North 24-Parganas.

According to the petitioner, the *ex parte* order of injunction is being extended from time to time, but the learned court below has not been able to dispose of the main application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure. Further, it is submitted that an application for modification of the ad-interim order, has also been filed.

Considering the nature of the prayer and the fact that the applications are pending disposal, this Court is of the view that the said applications should be disposed of expeditiously.

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, the revisional application is disposed of with a direction upon the learned court below to dispose of the applications for injunction with the objection and the application for modification, within a period of three months from the next date fixed, strictly in accordance with law and independently. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the applications.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)