

26.06.2023
Sl. No.255(DL)
srm

C.O. No. 1287 of 2023

Firoja Begam & Anr.

Versus

Munshi Monsur Rahaman & Ors.

Mr. M.P. Gupta,
Mr. Ayan Mitra,
Ms. Antara Panja,
Mr. Atanu Das

...for the Petitioners.

The petitioners are the defendants in Title Suit No.177 of 2022, which is pending before the learned Civil Judge (Senior Division), Bardhaman, Purba Bardhaman.

The petitioners submit that an ad interim order of injunction was passed on May 19, 2022. The petitioners filed an application under Order XXXIX Rule 4 of the Code of Civil Procedure on March 17, 2023. It is submitted that the said application along with the main injunction application maybe directed to be disposed at an early date.

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 application under Order XXXIX Rule 4 of the Code of Civil Procedure along with the application for injunction within a period of four months from the next date fixed, strictly in accordance with law and independently, without granting unnecessary adjournments to any of the parties. Thereafter, the learned court below shall proceed with the suit expeditiously.

This Court has neither gone into the merits of the applications nor into the merits of the suit.

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.)