

August 22, 2023
Sl. No.41
Court No.19
s.biswas

CO 1352 of 2023

Bachhawat Developers Private Limited
vs.
Abid Mollah and another

Ms. Manju Agarwal
Mr. Rishi Agarwal

... for the petitioner

The petitioner is the plaintiff in Title Suit No.286 of 2022, which is pending before the learned Civil Judge (Junior Division), 1st Court, Uluberia. The petitioner seeks expeditious disposal of the said suit along with the pending application for injunction.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the pending application, on an urgent basis. It is submitted that written objection to the injunction application has been filed, but the written statement has not yet been filed.

This court has neither gone into the merits of the application nor into merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous.

The revisional application is disposed of with a direction upon the learned court below to dispose of

the pending injunction application within a period of three months from date, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite parties to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently. The plaintiff will be at liberty to file a put up application upon service a copy to the defendants, seeking preponement of the date.

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

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)