

June 23, 2023
Sl. No.223
Court No.19
s.biswas

CO 1990 of 2023

Bijay Kumar Singh @ Vijoy Kumar Singh @ Bijay Singh
vs.
Ranjit Kumar Shaw and others

Mr. Tanmoy Mukherjee
Mr. Souvik Ds
Mr. Rudranil Das

... for the petitioner

The petitioner is the sole defendant in the Title Suit No.1233 of 2020, which is pending before the learned Civil Judge (Junior Division), 5th Court, Howrah. The petitioner submits that the application for injunction has been pending since long and the objection of the petitioner has been filed sometime in January, 2021. The petitioner submits that learned court below may be directed to dispose of the injunction application on contest, instead of extending the ad interim order day by day. It is also submitted that the petitioner does not wish to proceed with the application under Section 151 of the Code of Civil Procedure.

Upon recording such submissions and upon going through the case records, this court is of the view that justice would be subserved if the learned court below is directed to dispose of the pending application for temporary injunction along with the objection filed by the petitioner suit, expeditiously.

This court has neither gone into the merits of the application nor into the 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 direction upon the learned court below to dispose of the application for injunction as also the objection within two months from the next date fixed and thereafter, proceed with the suit and dispose of the suit at an early date, without granting any unnecessary adjournment to either of the parties. The learned court shall proceed strictly in accordance with law and independently.

The 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.)