

Item No. 8
26.07.2023
Court. No. 19
GB

C.O. 2369 of 2023

Ruma Bhowmick
Vs.
Leap Infraprojects Limited

*Mr. Gautam Mitra,
Mr. Rishad Medora,
Mr. Meghajit Mukherjee,
Ms. Priyanka Sharma*

...for the Petitioner.

*Mr. Supratim Dhar,
Mr. Dhananjay Nayak,
Mr. Sourya Mukherjee*

...for the Opposite Party.

The revisional application has been filed, challenging an order dated June 21, 2023, passed by the learned Civil Judge (Senior Division), 2nd Court at Baruipur in Title Suit No.312 of 2023.

By the order impugned, the learned court below allowed the prayer for extension of the ad interim order made by the plaintiff/opposite party, but did not pass any orders on the applications filed by the petitioner.

An application under Section 10 of the Code of Civil Procedure for stay of the suit during the pendency of an earlier suit filed by the petitioner, before the learned City Civil Court at Calcutta and an application under Order 39, Rule 4 of the Code of Civil Procedure, praying for vacation of the ad interim order of injunction, were kept pending. The matters have been fixed for hearing on September 1, 2023.

Considering the facts and nature of the pleadings, this Court is of the view that justice would be sub served if the

application under Section 10 of the Code and the application under Order 39, Rule 4 of the Code along with the application for temporary injunction filed by the plaintiff, are heard and disposed of within August 10, 2023. The application under Order 39, Rule 4 of the Code filed by the petitioner, shall be treated as her objection to the application for temporary injunction. As pleadings are complete, the learned court is requested to adhere to the time schedule fixed by this court.

The parties are at liberty to file a server copy of this order, for fixing of dates. The learned court below shall proceed independently and in accordance with law.

Accordingly, the revisional application is disposed of.

The main issues which have been raised herein, have not been decided.

However, there will be no order as to costs.

The learned court below and all parties shall act on the basis of the server copy of this order.

(Shampa Sarkar, J.)