

02.01.2023
Item No.31
Ct. No.7
CHC
(disposed of)

C.O. 2396 of 2022

Ratikanta Jana
Vs.
Hendal Ketki Silpara Shib Thakur and Sitala Mata
Trust represented by Ashoke Kumar Giri & ors.

Mr. Sandip Das

...for the petitioner

A direction to secure expeditious disposal of an application under Order 39 Rule 4 C.P.C. pending before the learned Civil Judge (Junior Division), Kakdwip, is the ultimate relief sought for in this case.

Admittedly, petitioner has been suffering ad interim order of injunction. Without preferring the appeal, petitioner has challenged the injunction upon filing an application under Order 39 Rule 4 C.P.C. praying for modification and/or variation of the ad interim order of injunction already granted by the trial court.

No other point is raised requiring address by this Court.

In view of the nature of order proposed to be made in this case, no prior notice is considered to be necessary.

Service upon the opposite parties stands dispensed with.

Accordingly, learned Civil Judge (Junior Division), Kakdwip, in Title Suit No.50 of 2019, is requested to ensure expeditious disposal of referred interlocutory application, subject to the suitability and convenience of the court below, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable, preferably within ten (10) weeks from the date of communication of this order to the court below.

With this observation/direction, the revisional application stands disposed of.

Petitioner is directed to make communication of this order to the learned court below as well as to the opposite parties and their learned advocate in the court below.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)