

04.01.2023
Item No.63 **ML**
Ct. No.7
CHC
(disposed of)

C.O. 2441 of 2022

Kazi Taiyeb Ali
Vs.
Kazi Kaiyam Ali, since deceased represented by
his legal heirs Khodeza Bibi & ors.

Mr. Mrinal Kanti Ghosh
...for the petitioner

A direction to secure expeditious disposal of an interlocutory application for injunction filed in February, 2022, in connection with Title Appeal No.112 of 2006, pending before the learned Additional District Judge, 2nd Court, Howrah, is the ultimate relief sought for in this case.

No other point is raised requiring address by this Court.

It is submitted that since the opposite parties have undertaken some construction in the subject property, there arose the necessity to resist proposed construction upon inviting an injunction petition, the hearing of which may be expedited.

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 Additional District Judge, 2nd Court, Howrah, in Title Appeal No.112 of 2006, is requested to ensure expeditious disposal of injunction application mentioned hereinabove, providing sufficient opportunity of hearing to either of the parties to this case, subject to the suitability and convenience of the court below, but without granting any unnecessary adjournment, unless it is extremely unavoidable, preferably within a period of twelve (12) 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.)