

August 24, 2023
Sl. No.51
Court No.19
s.biswas

CO 2570 of 2023

Purusattam Samanta
vs.
Sri Sujay Samanta and others

Ms. Pampa Dey (Dhabal)

... for the petitioner

The petitioner is the defendant in the Title Suit No.07 of 2020, which is pending before the learned Civil Judge (Senior Division), Bishnupur, Bankura. It is submitted that the application for injunction under Order 39 Rules 1 and 2 of the Code of Civil Procedure together with Order 39 Rule 4 of the Code of Civil Procedure are pending. It is further submitted that the interim injunction has been extended from time to time. The petitioner prays for expeditious disposal of the pending applications.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of both the pending applications, on an urgent basis.

This court has not gone into the merits of the applications. 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 and very reasonable.

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

both the pending applications within a period of two months from the next date fixed, 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.

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.)