

14.09.2023
Court No. 19
Item no.250
CP

C.O. No. 3093 of 2023

Sri Protap Kumar Paul
Vs.
Dr. Anindya Das

Mr. Amitava Paine
Mr. Vivek Kr. Tripathi
.....for the petitioner.

The petitioner is the defendant in Title Suit No. 220 of 2023, which is pending before the learned Civil Judge (Junior Division) 2nd Court at Howrah.

The petitioner prays for expeditious disposal of the application for temporary injunction. It is submitted that the ad interim order has been extended from time to time, but the main injunction application is not being heard.

The prayer of the petitioner is innocuous. Neither party stands to lose if a proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties. Hence, there is no requirement for service of prior notice upon the opposite party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the application, within two months from the next date fixed. Upon disposal of the injunction application, the suit shall be disposed of within a

year. Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the application and the suit. The learned court shall proceed independently and in accordance with law.

A copy of the revisional application along with a server copy of this order be served upon the opposite party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned court below, within a week.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)