

24.09.2024
(M/L-138)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 555 of 2024

Sri Sanjib Sinha Roy & Anr.

-Vs-

Sri Ramprosad Sinha Roy

Mr. Dipanjan Datta,

Mr. Subhajit Chowdhury,

... For the Petitioners.

The defendants in a suit for declaration are the petitioners of the instant application under Article 227 of the Constitution of India, the said suit being Title Suit No. 573 of 2023 is pending before the additional Court of learned Civil Judge (Junior Division) at Serampore, District: Hooghly.

The learned Trial Judge by the order impugned dated January 09, 2024 had allowed the plaintiff's application for an order of injunction.

The petitioners, being aggrieved by the said order, have preferred the connected Miscellaneous Appeal No. 3 of 2024 which is pending before the 1st Court of learned Additional District Judge, Serampore, District: Hooghly.

The appeal Court below by the order impugned has refused to pass an ad interim order of stay of the order impugned.

Mr. Datta, learned advocate for the petitioners submits that during the pendency of the revisional

application, the suit has progressed a lot, in fact the argument of the suit has been concluded.

In view of such development, no fruitful purpose would be served by interfering with the order impugned or by keeping the said miscellaneous appeal pending before the Appeal Court below as such, the Miscellaneous Appeal No. 03 of 2024 be treated as disposed of.

The learned Trial Judge is requested to dispose of the said suit as expeditiously as possible in accordance with law.

C.O. 555 of 2024 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)