

Ct.
No.
652

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akb

23.04
2024

C.O. 665 of 2019
Hemanta Mondal @ Hemanta Kumar Mondal & Ors.
-Versus-
Manoranjan Ghosh @ Bablu Ghosh

Mr. Lakshminath Bhattacharya
Mr. Rajib Kumar Acharyya
Mr. Banshi Badan Maity ...For the Petitioners

Ms. Baishali Ghosal ...For the opposite Party

The opposite party herein as plaintiff filed Title Suit no. 1344 of 2018 before the learned Civil Judge (Junior Division), Howrah along with prayer for injunction. Learned court below by an order dated 15th November, 2018 passed ad interim order of injunction till 8th January, 2019. Thereafter, defendants/petitioners herein preferred an appeal before the court below, being Misc. appeal no. 260 of 2018. The leaned court below by the order impugned, was pleased to dismiss the aforesaid Misc. appeal as she did not find any reason to interfere with the order impugned. Being aggrieved by that order, the defendants / petitioners preferred this application.

It is submitted that during pendency of this application, the main injunction application has been disposed of by the court below vide order no. 26 dated 4th August, 2022.

In such view of the matter, the present application, which has been preferred in connection with the interim order has become infructuous.

C.O. 665 of 2019 is accordingly dismissed being infructuous.

Since I have not gone into the merits of the matter in issue, this order will not prevent the defendants/petitioners to prefer appropriate Application, if any, for vacating the order of injunction and in the event of filing such application, the Court below will dispose of the same at the earliest, without being influenced by any observation made herein.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, on priority basis on compliance of all usual formalities.

(Ajoy Kumar Mukherjee, J.)