

13.11.2024
Item No.
A 194
Saswata

C.O. 1086 of 2024
Mayarani Majumder & Ors.
versus
Denesh Majumder & Ors.

Ms. Fatima Hassan
Mr. A.S.Tarafdar

...For the plaintiffs/petitioners

1. Although, the instant revisional application has been filed, inter alia, praying for expeditious disposal of the suit, learned advocate appearing for the plaintiffs/petitioners by drawing attention of this Court to the order nos. 8 and 9 dated 25th August 2023 and 5th December 2023 respectively, would submit that the plaintiffs/petitioners at this stage only seek expeditious disposal of the injunction application. She submits that the injunction application has been pending since the year 2022. The defendant no.1/opposite party no.1 has only filed written objection, though the other defendants/opposite parties are yet to file any written objection. She submits that by reason of the delayed disposal of the injunction application, the plaintiffs/petitioners are suffering.

2. Having regard to the nature of reliefs sought for, at this stage, I am of the view that the instant revisional application can be considered without prior service thereof on the defendants/opposite parties.

3. Having regard to the above and taking note of the pendency of the injunction application since December 2022, I am of the view that the learned Civil Judge (Sr. Division), 1st Court at Barasat should take up hearing of the injunction application at the earliest. In the event, no written objection is filed by the defendant/opposite party nos. 2 and 3 within 15 days from the next date of hearing, which this Court had been informed is fixed on 21st December 2024, the learned Court shall hear out and dispose of the injunction application without

granting any unnecessary adjournment. In any event, endeavour should be made to dispose of the same preferably within a period of three months from the date of communication of this order.

4. With the above observation and direction, the revisional application being C.O. 1086 of 2024 is disposed of.

5. The petitioners must cause service of the revisional application on the opposite parties along with this order within 2 weeks from date.

All parties shall act on the basis of the server copy of this order duly downloaded from this Court's official website.

(Raja Basu Chowdhury, J.)