

05.07.2024  
Item No.44, ML  
Ct.19  
A.J.

**IN THE HIGH COURT AT CALCUTTA  
CIVIL REVISIONAL JURISDICTION**

**C.O. 1576 of 2024**

**Madhusudan Bhunia  
-Vs-  
Umapada Jana**

Mr. Jayanta Das,  
Ms. Soumita Ghosh.  
...for the petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite party, as such, service of notice of the present application upon the said opposite party is dispensed with.

The petitioner is the defendant in Title Suit 142 of 2023 pending before the learned Civil Judge (Junior Division), Dantan, District: Paschim Medinipur.

In the said suit, the learned Trial Judge on an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure filed by the plaintiff/opposite party has passed an ad-interim order of injunction on August 17, 2023 which was subsequently extended from time to time and is still subsisting.

Mr. Das, learned Advocate for the petitioner submits that the application is ready for disposal as his client has already filed written

objection to it but delay in disposal of it is causing hardship to his client.

An application under Order XXXIX Rules 1 and 2 of the Code by its nature demands expeditious disposal.

The defendant since is suffering an *ad-interim* order of injunction, he can legitimately expect disposal of the said application for injunction within reasonable time.

The learned Trial Judge is, therefore, requested to dispose of the said application as expeditiously as possible and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 1576 of 2024 is disposed of accordingly 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 copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

**( Biswajit Basu, J. )**