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27.06.2024

*In The High Court At Calcutta  
Civil Revisional Jurisdiction  
(Appellate Side)*

**C.O. No. 2240 of 2024**

**Smt. Oli Bhattacharya & Ors.  
Vs.  
Sri Tapan Samanta**

Mr. Partha Sarathi Das,  
Mr. Sukanta Roy ... For the petitioners.

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 defendants in a suit for permanent injunction being Title Suit No. 329 of 2021 pending before the 3<sup>rd</sup> Court of learned Civil Judge (Senior Division) at Howrah are the petitioners of the instant application under Article 227 of the Constitution of India.

The petitioners in the said suit have filed an application seeking permission to execute repair works in the suit shop room and has also filed an application under Order XXXIX Rule 7 of the Code of Civil Procedure for appointment of an advocate commissioner to hold local inspection of the suit property to demonstrate the present condition of it.

Learned advocate for the petitioners submits that

the said applications were filed on April 05, 2023 and those are ready for hearing but same have not yet been disposed of, he prays a direction for expeditious disposal of the said two applications.

The said applications by their nature demands expeditious disposal.

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

C.O. 2240 of 2024 is thus disposed of with the above terms without any order as to costs.

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.)**