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28.06.2024

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

C.O. No. 2250 of 2024

**Sri Purnendu Banerjee
Vs.
Sri Sayan Sarkar & Anr.**

Mr. Tanmoy Mukherjee,
Mr. Souvik Das,
Mr. Rudranil Das,
Mr. Tapas Chatterjee ... 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 parties, as such, service of notice of the present application upon the said opposite parties is dispensed with.

The pre-emptor in a proceeding under Sections 8 and 9 of West Bengal Land Reforms Act, 1955 being being Misc. Case No. 04 of 2022 pending before the 6th Court of learned Civil Judge, (Junior Division) at Alipore, District – 24 Parganas (South) is the petitioner of the instant application under Article 227 of the Constitution of India.

The petitioner is complaining delay in disposal of an application for injunction filed by him in the said misc. case.

It appears from the record that hearing of the said application for injunction though was commenced

once but due to the pendency of an application under Order XXVI Rule 9 of the Code of Civil Procedure hearing of it was kept in abeyance but in spite of disposal of the said application such hearing did not commence again.

An application for injunction by its nature demands expeditious disposal but in the instant case same is pending since 2022, therefore, the learned Trial Judge is requested to dispose of the same as expeditiously as possible in accordance with law and in doing so shall not grant any unnecessary adjournment to either of the parties.

Upon disposal of the interlocutory application/applications, the learned Trial Judge shall make all endeavour to dispose of the Misc. case expeditiously.

C.O. 2250 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.)