

19.09.2024
(D/L-61)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 2580 of 2024

M/S Triupati Construction & Ors.
-Vs-
Shri Prasanta Kumar Modnal & Ors.

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
Mr. Kaustov Bhattacharya,
Ms. Priyanka Jana,

... 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 parties, as such, service of notice of the present application upon the said opposite parties is dispensed with.

The defendant Nos. 5, 6 & 7 of *Title Suit No. 480 of 2024*, a suit for declaration and injunction pending before the 1st Court of learned Civil Judge (Senior Division) at Barasat, District: 24-Parganas (North) are the petitioners of the instant application under Article 227 of the Constitution of India.

The learned Trial Judge on an application of the plaintiffs have granted an *ad interim* order of injunction and to vacate the said order, the petitioners have taken out an application under Order XXXIX Rule 4 of the Code of Civil Procedure.

The petitioners are complaining delay in disposal of the said application and is praying a direction for expeditious disposal of it.

The applications have been filed very recently, therefore, the direction as prayed for is prematured; however, an application for injunction by its nature, demands expeditious disposal.

The learned Trial Judge is therefore requested to make all endeavour to dispose of the said applications as expeditiously as possible in accordance with law if those are otherwise ready for such disposal, treating the application of the petitioners under Order XXXIX Rule 4 of the Code as an objection to the said application for injunction.

C.O. 2580 of 2024 is thus disposed 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 copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)