

C.O. 590 of 2025

Soumen Ghosh & Ors.
-versus-
Chandra Ghosh & Ors.

Mr. Sirsanya Bandyopadhyay
Ms. Deboleena Ghosh
... for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the defendants praying for a direction upon the learned Civil Judge, (Junior Division), 6th Court at Alipore, South 24 Parganas to dispose of the injunction application and the application under Order 39 Rule 4 of the Code of Civil Procedure filed in connection with Title Suit No. 1998 of 2023 which is pending since long.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of notice upon the opposite parties. However, the petitioners shall be obliged to forward a copy of this application along with this order upon the opposite parties or their learned advocates representing them before the learned trial judge. Record reveals that an ad interim order of injunction was passed by the learned trial judge on 20th December, 2023.

Mr. Bandyopadhyay, learned advocate appearing for the petitioners submits that the said injunction application is otherwise ready for hearing as the written objection has also been filed against such application. He also submits that the petitioners have also filed an application under Order 39 Rule 4 of the Code of Civil Procedure praying for vacating the ad interim order of injunction.

This Court finds that the learned trial judge has fixed 11th March, 2025 for extension of interim order. Since the ad interim order is continuing from 20th December, 2023 and the injunction application is otherwise ready for hearing, this Court is of the considered view that justice would be sub-served if the injunction application and the application under Order 39 Rule 4 of the Code of Civil Procedure are directed to be taken up for hearing on the next date fixed and are disposed of expeditiously.

In view thereof, C.O. 590 of 2025 is disposed of by requesting the learned Civil Judge, (Junior Division), 6th Court at Alipore, South 24 Parganas to take up the hearing of the application filed under Order 39 Rules 1 and 2 along with the application under Order 39 Rule 4 of the Code of Civil Procedure in connection with Title Suit No. 1998 of 2023 on the next date fixed that is on 11th March, 2025 and

to dispose of the same as expeditiously as possible preferably by the end of May, 2025 without granting any unnecessary adjournment to either of the parties.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)