

D/L- 9
20/03/2025
Ct. No.-6
Aritra

C.O. 971 of 2025

**The Branch Manager, Canara Bank
Versus
Kartick Ray**

Mr. Somnath Mukherjee
...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the bank and is directed against orders being Nos.2 and 6 dated April 22, 2024 and September 5, 2024 respectively, both passed by the learned Civil Judge (Jr. Div.), Kakdwip in Title Suit No.92 of 2024.

By the order dated April 22, 2024 an ad interim order of injunction was passed on an application filed under Order 39 Rule 1 and 2 read with Section 151 of the Code of Civil Procedure. The ad interim order of injunction was extended by the order dated September 5, 2024. The aforesaid orders dated April 22, 2024 and September 5, 2024 are appealable orders under Order 43 Order 1(r) of the Code of Civil Procedure.

At this stage, the learned advocate for the petitioner prays for a direction upon the learned Trial Judge to dispose of the injunction application expeditiously. The learned advocate for the petitioner further submits that the suit is barred under Section 34 of the Securitisation and Reconstruction of Financial Assets and Enforcement

of Security Interest Act, 2002. It will be open to the petitioner herein to take appropriate steps in that regard before the learned Trial Judge. The learned advocate for the petitioner further submits that the petitioner has already filed a written objection to the injunction application. He further submits that the injunction application is otherwise ready for hearing.

In the light of the submissions made by the learned advocate for the petitioner CO 971 of 2025 is disposed of by requesting the learned Civil Judge (Jr. Div.), Kakdwip to take up the hearing of the injunction application on the next date fixed, if the same is otherwise ready for hearing, and to dispose of the same as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)