

Sl.22
17.04.2025
Court No.6
BP

C.O. 1185 of 2025

Rajesh Kumar Gupta
-versus-
Rajesh Kumar Yadav & Ors.

Mr. Kushal Chatterjee
Mr. S. Mitra
Mr. Manish Shukla
..for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the plaintiff praying for a direction upon the learned Civil Judge (Senior Division), 3rd Court, Howrah to dispose of the application under Order 39 Rule 1 and 2 of the Code of Civil Procedure expeditiously.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner herein has complied with the directions passed by the learned trial Judge while passing the ad interim order of injunction. He submits that the petitioner has posted the requisite documents as per the order of the learned trial judge through speed post at the correct address of the opposite parties herein. He further submits that the learned trial judge is not considering the fact that the copy of the injunction application has been duly served upon the opposite parties.

From the order-sheet appended to this application this Court finds that repeated dates have been fixed for awaiting service returns. It will be open to the petitioner herein to file an appropriate application before the learned trial judge in support of his contention that the injunction application has been duly served upon the opposite parties in compliance with the order passed by the learned trial judge while passing an ad interim order of injunction. If such an application is filed, the learned Civil Judge(Senior Division), 3rd Court, Howrah is requested to dispose of the same in accordance with law.

With the above observations and directions, C.O. 1185 of 2025 stands disposed of.

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.)