

D/L- 40
19/05/2025
Ct. No.-6
Aritra

C.O. 1609 of 2025

**Shri Shri Shiv Thakur and Shri Shri
Mahavir Jew Deities & Ors.
Vs.
Sri Haridwar Tiwari (Tripathi) & Ors.**

Mr. Ayan Banerjee
Ms. Debasree Dhamali
Ms. Riya Ghosh
Mr. A. Chaudhury

....for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the plaintiff and is directed against the orders dated February 17, 2025 and March 3, 2025 both passed by the learned Civil Judge (Jr. Div.), Bidhannagar in Title Suit No.218 of 2024.

After some arguments, Mr. Banerjee, learned advocate appearing for the petitioner submits that a direction be passed upon the learned trial judge to take up the hearing of the application under Section 151 of the Code of Civil Procedure on the next date fixed i.e. on June 4, 2025 and to dispose of the same within a specified time frame.

Record reveals that by an order dated July 24, 2024 the prayer for ad interim injunction was allowed and the defendants/opposite parties herein and their men and agents are restrained from dispossessing the plaintiff/petitioner herein from the suit property without due process of law and the defendants/opposite parties herein were restrained from disturbing the peaceful

possession of the plaintiff/petitioner in respect of the suit property till the next date fixed i.e. on September 20, 2024.

Mr. Banerjee submits that the ad interim order of injunction was being extended from time to time. However, on February 17, 2025 an application for extension of the interim order was filed but the ad interim order was not extended thereafter. Accordingly, the petitioner filed an application under Section 151 of the Code of Civil Procedure for extension of the order of injunction. The said application under Section 151 of the Code has been fixed for hearing on June 4, 2025.

In the light of the submission made by the Mr. Banerjee, CO 1609 of 2025 is disposed of by requesting the learned Civil Judge (Jr. Div.), Bidhannagar to take up the hearing of the application under Section 151 of the Code of Civil Procedure on the next date fixed, if the same is otherwise ready for hearing and to dispose of the same in accordance with law as expeditiously as possible without granting any unnecessary adjournments.

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.)