

04.07.2025  
Item no. 21  
Court No.6.  
AB

**C. O. 2379 of 2025**

**Smt. Keya Kundu  
Vs  
Parag Mukherjee & Anr.**

Mr. Gouranga Kr. Das,  
Ms. Poulami Dutta .....for the Petitioner.

This application under Article 227 of the Constitution of India is at the instance of the defendant no.2 praying for a direction upon the learned Civil Judge (Sr. Division), 5<sup>th</sup> Court at Alipore to dispose of the application under Order 39 Rule 1 and 2 of the Code of Civil Procedure filed by the plaintiffs/opposite parties and the application under Order 39 Rule 4 of the Code of Civil Procedure filed by the petitioner herein expeditiously.

Mr. Das, learned advocate appearing for the petitioner submits that the learned Trial Judge adjourned the hearing of the injunction application on repeated occasions.

In view of the order sought and proposed to be passed, there is no necessity to issue notice upon the opposite parties. However, the learned advocate appearing for the petitioner shall be obliged to forward a copy of this application along with this order upon

the opposite parties or upon the learned advocates representing them before the learned Trial Court.

From the order-sheet appended to this revisional application, this Court finds that on repeated dates, adjournments were sought for on the ground of resolution being adopted by the local Bar Association.

For such reason, the learned Trial Judge cannot be faulted for granting adjournments. However, taking note of the fact that the application for injunction and the application under Order 39 Rule 4 are pending and the next date has been fixed on July 29, 2025, C. O. No.2379 of 2025 is disposed of with the hope and trust that the learned Civil Judge (Sr. Division), 5<sup>th</sup> Court at Alipore shall make an endeavour to dispose of the application under Order 39 Rule 1 and 2 filed by the plaintiff/opposite parties and the application under Order 39 Rule 4 filed by the petitioner herein as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

**(Hiranmay Bhattacharyya, J.)**