

Court No. 6
(265719)

01.07.2025
(AD 33)
(S. Banerjee)

CO 2317 of 2025

M/s. Buildtrust Corp
Vs.
Smt. Srimanti Mullick & Ors.

Mr. Avijit Roy
Mr. Indrajit Sen
Mr. S. Midda
Mr. I. Sen

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the sixth defendant praying for a direction upon the learned Additional District Judge 8th Court at Alipore to dispose of Miscellaneous Appeal No. 79 of 2024 expeditiously.

Learned advocate appearing for the petitioner submits that challenging an order allowing the prayer for ad interim injunction, the petitioner preferred a Miscellaneous Appeal being No. 79 of 2024 before the learned Additional District Judge 8th Court at Alipore, which is still pending. He prays that a direction be passed upon the learned judge of the appellate court to dispose of the miscellaneous appeal expeditiously.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any

notice upon the opposite parties. However, the learned advocate-on-record of the petitioner shall be obliged to forward a copy of this application along with this order, upon the opposite parties or upon the learned advocate representing the opposite parties before the learned appellate court.

Mr. Roy, learned advocate appearing for the petitioner submits that the petitioner filed an application for stay of operation of the order impugned on February 17, 2025 which is fixed for hearing on August 8, 2025. He further submits that the hearing of the appeal has also been fixed on that date.

In the light of the submission made by the learned advocate appearing for the petitioner, CO 2317 of 2025 stands disposed of by requesting the learned Additional District Judge 8th Court at Alipore, to first take up the hearing of the petition dated February 17, 2025 on the next date fixed, i.e., on August 8, 2025, if the same is otherwise ready for hearing and to make an endeavour to dispose of the same as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

The learned judge of the appellate court is further requested to make an endeavour to dispose of the Misc. Appeal No. 79 of 2024 as expeditiously as

possible without granting any unnecessary adjournment to either of the parties.

(Hiranmay Bhattacharyya, J.)