

08.07.2025
Item no. 18.
Court No.6.
AKG

C. O. 2393 of 2025

**Aasish Ranjan
Vs
Rabi Maity & Ors.**

Mr. Rabindra Nath Mahato,
Mr. Aritra Shankar Ray

.....for the Petitioner

This application under Article 227 of the Constitution of India is at the instance of the plaintiff and is directed against an order no. 13 dated 2nd June, 2025, passed by the learned Civil Judge (Jr. Division), 1st Court at Medinipur in Title Suit No. 749 of 2023.

By the order impugned, the application under Section 151 of the Code of Civil Procedure praying for police help stood rejected with costs.

Mr. Mahato, learned advocate appearing for the petitioner submits that the petitioner sought for police help in order to reconstruct the damaged portion of the boundary wall.

The learned Trial Judge after considering the fact that pursuant to an earlier order directing the police authorities to implement the order dated 21st February, 2024, the police authorities have acted in terms of the said order and had rendered assistance, rejected such application. This Court does not find any reason to interfere with such order.

At this stage, Mr. Mahato, learned advocate appearing for the petitioner prays that the costs awarded against the petitioner be deleted.

In the light of the submissions made by Mr. Mahato, the costs imposed upon the petitioner by the order dated 2nd June, 2025, stands deleted. The impugned order stands modified only to the extent as indicated hereinbefore.

Mr. Mahato further submits that the application for temporary injunction is otherwise ready for hearing. He also submits that a direction be passed upon the learned Trial Judge to dispose of the temporary injunction as expeditiously as possible.

In the light of the submissions made by Mr. Mahato, C. O. No. 2393 of 2025 is disposed of by requesting the Civil Judge (Jr. Division), 1st Court at Medinipur to make an endeavour to dispose of the application for temporary injunction, if the same is otherwise ready for hearing as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

(Hiranmay Bhattacharyya, J.)