

29.07.2025
rc/ct.no.06
Item No.28

C.O.No. 2668 of 2025
Ajit Khan & Others
Versus
Shyamal Khan

Mr. Suhrid Sur

...for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the defendants and is directed against an order dated May 22, 2025 passed by the learned Additional District and Sessions Judge (Fast Track) Court, Chandernagore, Hooghly in Miscellaneous Appeal No. 9 of 2024 thereby affirming Order No. 13 dated May 17, 2024 passed by the learned Civil Judge (Senior Division), Chandernagore in Title Suit No. 213 of 2023.

By the judgment and order impugned a miscellaneous appeal was dismissed thereby refusing to interfere with the order of temporary injunction passed by the learned trial judge.

Mr. Sur, learned advocate for the petitioner, on instruction, submits that though the civil revisional application has been filed challenging the order passed in the miscellaneous appeal but the limited scope for which the same has been filed is to allow the petitioners to open the shuttering of the impugned construction as the petitioner is incurring huge cost for retention of the same.

In the light of the submission made by the learned advocate for the petitioner this civil revisional application stands disposed of by giving liberty to the petitioner to file an appropriate application before the learned trial Judge. If such an application is filed, the learned trial Judge is requested to fix an early date of hearing of such application and make an endeavour to dispose of the same as expeditiously as possible preferably within six weeks from the date of filing of the application without granting any unnecessary adjournment to either of the parties.

With the above observations and directions the instant civil revisional application being C.O. No. 2668 of 2025 stands disposed of.

There shall be, however, no order as to costs.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya,J)