

D/L - 6
05.02.2025
Court. No. 5
S.Kundu

C.O. 3096 of 2024

Sipra Chanda
Vs.
Sri Rajib Chanda

Mr. Gopal Chandra Ghosh,
Mr. P.K. Mondal,
Ms. Sunanda Saha,

...for the petitioner.

Mr. Debasis Kar,
Mr. Arka Tilak Bhadra

...for the opposite party.

1. The present revisional application has been filed by the defendant, *inter alia*, praying for a direction upon the learned Civil Judge (Junior Division), 2nd Court at Barrackpore to expeditiously dispose of the interlocutory petitions filed by the opposite party in Title Suit No. 360 of 2022.
2. On 14th January, 2025 when the matter was taken up for consideration, this Court upon hearing the parties was pleased to direct the defendant/petitioner to serve a copy of the revisional application on the plaintiff/opposite party. Pursuant to such direction, the petitioner has served the revisional application on the opposite party and the matter has come up for consideration today.
3. Mr. Ghosh, learned advocate appearing in support of the revisional application by drawing attention of this Court to the order-sheet would submit that although the defendant/petitioner had filed the written

statement along with the counter-claim on 6th December, 2022 within the time prescribed for filing of the written statement, the learned Court is yet to accept the written statement. He submits that the learned Court has been adjourning the matter from time to time and extending the interim order without disposing of the injunction application.

4. According to Mr. Ghosh, the petitioner has filed its objection to the injunction application and if the injunction application is heard out it is more likely than not that the injunction granted by the learned Court shall be vacated.
5. Mr. Kar, learned advocate enters appearance on behalf of the plaintiff/opposite party.
6. Having heard the learned advocates appearing for the respective parties and having considered the materials on record, and noting that the injunction application is pending since institution of the suit in the year 2022, I am of the view that the learned Judge should expeditiously hear out and dispose of the same. It is expected that the injunction application shall be disposed of as expeditiously as possible preferably within a period of three months from the date of communication of this order. In so far as the acceptance of written statement along with counter-claim is concerned, the learned Judge should take a decision on the next date fixed before the learned Court.

7. With the above observations and directions, the revisional application stands disposed of. There shall be no order as to costs.
8. All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J.)