

D/L
Item No. 28
10.09.2025
KOLE
265719

CO 3339 of 2025

Sudipta Sarkar
-Vs.-
Susmita Dutta Gupta

Mr. N. Ch. Saha,
Mr. A. Ch. Majumder,
Ms. N. Agarwal

...for the petitioner.

This application under Article 227 of the Constitution of India is at the instance of plaintiff and praying for a direction upon the Learned Civil Judge, 2nd Court, Senior Division, Baruipur to dispose of the injunction application filed by the petitioner on May 8, 2025 in Title Suit No. 678 of 2022 expeditiously.

In view of the order sought and proposed to be passed, there is no necessity to serve a notice upon the opposite party. However, learned Advocate on record for the petitioners shall be obliged to forward a copy of this application along with this order to the opposite parties/learned Advocate representing the opposite parties before the learned Trial Judge.

From the order sheets appended to this application, this Court finds that the learned Trial Judge by the order dated May 3, 2025 rejected the application for temporary injunction filed by the plaintiff/petitioner herein. When this fact was pointed out to the learned Advocate for the petitioner, he submits that subsequently on May 8, 2025 a fresh injunction application has been filed on a subsequent cause of action.

In the light of the submissions made by learned Advocate for the petitioners, CO. No. 3339 of 2025 is disposed of by requesting the Learned Civil Judge, 2nd Court, Senior Division, Baruipur to make all endeavours to dispose of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure filed by the petitioner on 8th May, 2025 as expeditiously as possible in accordance with law. After the disposal of the interlocutory applications, the learned Trial Judge shall proceed with the hearing of the suit in accordance with law.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Hiranmay Bhattacharyya, J.)