

AD-28
Ct No.16
17.01.2025
(SSS)

CO 3261 of 2024

Mrs. Manju Jain
Vs.
Diamond City North Residents
Association (DCNRA) and Ors.

Ms. Akansha Mukherjee,
Ms. Minal Palana

....For the Petitioner.

1. In view of the innocuous nature of the prayer made, prior service of notice on the Opposite Parties is not being directed.
2. The plaintiff/petitioner filed the suit for declaration and consequential reliefs on March 28, 2024.
3. Along with the plaint, an injunction application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, read with Section 151 of the Code, was also filed by the petitioner.
4. No orders were passed at the ad-interim stage in view of a caveat having been lodged. It is submitted by learned Counsel for the petitioner that although the caveator has been served long back, the application is not being taken up for hearing since then.

5. Keeping in view the long pendency of the interlocutory application for injunction for about a year, the ends of justice require that the said application is decided expeditiously.

6. Accordingly, CO 3261 of 2024 is disposed of by requesting the learned Civil Judge (Senior Division), 2nd Court, Barasat, District – North 24 Parganas to dispose of the application under Order XXXIX Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, filed at the behest of the plaintiff/petitioner and pending in connection with Title Suit No. 323 of 2024 before the said court as expeditiously as possible, positively within six weeks from the date of communication of this order to the learned Trial Judge, giving opportunity to the defendant/Opposite Parties to file written objection, if any, within the said time-frame.

7. There will be no order as to costs.

8. The parties and all concerned shall act on the server copy of this order without insisting upon prior production of any certified copy for the purpose of compliance.

(Sabyasachi Bhattacharyya, J.)