

AD-34
Ct No.16
17.01.2025
(SSS)

CO 3445 of 2024

Sk. Abdul Malaque
Vs.
Mst. Mumtaz Begam and Ors.

Mr. Tapash K. Bhattacharya,
Mr. Aviroop Bhattacharya,
Ms. Sahima Mollah

....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 present application under Article 227 of the Constitution of India has been filed at the behest of the defendant in a suit for declaration and consequential reliefs.
3. It is submitted by learned Counsel for the petitioner that the injunction application and application under Order XXXIX Rule 2A of the Code of Civil Procedure filed in connection with the said suit by the plaintiffs/Opposite Parties has been kept pending inordinately.
4. It is also submitted on behalf of the petitioner that on the last date, that is, December 13, 2024, the suit has been transferred from the First Court of

learned Civil Judge (Junior Division) to the Second Court of learned Civil Judge (Junior Division) at Barasat.

5. Accordingly, CO 3445 of 2024 is disposed of with a request to the learned Civil Judge, Junior Division, 2nd Court at Barasat, District- North 24 Parganas to dispose of the pending applications, including the injunction application and the application under Order XXXIX Rule 2A of the Code, pending in connection with the Title Suit No. 215 of 2009 before the said court, as expeditiously as possible, positively within six weeks from the date of communication of this order.

6. There will be no order as to costs.

7. 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.)