

Sl. 7
07.05.2025
Court No.6
BP

C.O. 3824 of 2024
with
CAN 1 of 2025

Shyamal Sundar Giri
-versus-
Jadabendra Nanda & Ors.

Mr. Dyutiman Banerjee
..for the petitioner

Mr. Chittapriya Ghosh
Mr. Goutam Acharya
Ms. Priyanka Saha
..for the opposite party

Mr. Ghosh, learned advocate appearing for the opposite party submits that before mentioning this matter for inclusion no notice was served upon him.

Though this matter is appearing under the heading "Extension of Interim Order" but with the consent of the respective parties the main civil revision application is treated as on day's list and is taken up for hearing.

This application under Article 227 of the Constitution of India is at the instance of the plaintiff and is directed against the orders dated 8th August, 2024 and 9th August, 2024 both passed by the learned Civil judge(Junior Division), Midnapore (East) in Title Suit No. 181 of 2023.

By the order dated 8th August, 2024 the ad interim order of injunction stood vacated. Thereafter the

petitioner filed a put up petition and also filed a show cause petition on 9th August, 2024. The show cause petition was allowed and the learned trial judge fixed a date for hearing of the injunction application. Being aggrieved by such order the petitioner has approached this Court.

Mr. Ghosh, learned advocate appearing for the opposite party submits that the hearing of the injunction application may be expedited. He further submits that the written objection to the injunction application has already been filed and the next date for hearing of the injunction application has been fixed by the learned trial judge on 6th December, 2025.

After hearing the learned advocates for the respective parties this Court is of the considered view that the ends of justice will be sub-served, if the learned trial judge is requested to take up the hearing of the injunction application on the next date fixed and to dispose of the same expeditiously.

Accordingly, C.O. 3824 of 2024 is disposed of by requesting the learned Civil judge (Junior Division), Midnapore (East) to take up the hearing of the injunction application on the next date fixed and to make an endeavour to see that the same is disposed of as expeditiously as possible but preferably within a period of six weeks from the next date fixed without

granting any unnecessary adjournments to either of the parties.

It is, however, made clear that the interim order passed by this Court in C.O. 3824 of 2024 on 27th March, 2025 is extended till the next date of hearing of the injunction application.

The parties will be at liberty to approach the learned trial judge for preponing the date for hearing of the injunction application. If such prayer is made the learned trial judge shall consider the same and pass orders accordingly.

With the above observations and directions, C.O. 3824 of 2024 along with CAN 1 of 2025 are disposed of.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)