

25.2.2025
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Ct. no. 237
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CO 3912 of 2024

**Tapan Sardar & Ors.
Vs.
Gopal Sardar & Ors.**

Mr. Partha Pratim Roy ...for the Petitioners

This is an application wherein the petitioners have prayed for expeditious disposal of the injunction application filed by the plaintiff in Title Suit no. 78 of 2021 presently pending before the learned Civil Judge (Junior Division), 2nd Court, Berhampore, Murshidabad.

It is submitted on behalf of the petitioners that the plaintiffs filed the present suit for declaration of title and injunction where he has also sought for an ad-interim relief but the Trial Court by an order dated 26th February, 2021, refused to grant ad-interim order of injunction. Since then, for the last four years, the suit is pending for hearing of the injunction application. Accordingly a direction may be passed upon the court below for expeditious disposal of the injunction application.

Since the prayer made by the petitioners is innocuous and if any order passed in terms of the prayer made in the petition, neither party will have a cause to prejudice, the service of copy of the

application or notice upon the opposite party is dispensed with.

Considering the facts and circumstances of the case and that the prayer made by the petitioners is justified in view of the long pendency of the injunction application, the revisional application being C.O. 3912 of 2024 is hereby disposed of with a direction upon the court below to make every endeavour for expeditious disposal of the injunction application after giving opportunity to both the parties to contest and to dispose of the said application without being influenced by any observation made herein within a period of three months from the date of communication of the order.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)