

CO. 631 of 2026

08.04.26
D/L
SI-03
Ct. 06
(Samar)

Madhabi Gharami (Defendant No. 1)
V.
Gangaram Gharami (Plaintiff) & Ors.

Mr. Tarak Nath Haldar,
... for the petitioner.

1. This revisional application has been filed seeking expeditious disposal of an application for injunction under Order 39 Rule 1 and 2 of the Code of Civil Procedure, 1908 and an application under Order 39 Rule 4 thereof as well as an application under Section 151 of the Code seeking permission for constructing house under the scheme “Banglar Bari” framed by the Government of West Bengal, all of which have been filed in Title Suit No. 129 of 2025 pending before the learned Civil Judge (Senior Division), 1st Court at Baruipur, South 24-Parganas.
2. Learned advocate appearing for the petitioner submits that upon an application under Order 39 Rules 1 and 2 of the Code being moved *ex parte*, an *ex parte ad interim* order directing the parties to maintain the *status quo* in respect of the suit property as regards the nature, character and possession was passed. It is submitted that the said order is being extended from time to time without hearing the petitioner’s application for vacation

thereof under Order 39 Rule 4 of the Code and the petitioner's application under Section 151 of the Code seeking permission to carry out construction under the aforesaid 'Banglar Bari Scheme'

3. In view of the nature of the order proposed to be passed direction for prior service of copy of this application along with notice on the opposite parties is not being made, however, the petitioner shall remain obliged to serve a copy of this application along with a copy of this order upon the opposite parties within a week from date.
4. Having heard the learned advocate appearing for the petitioner and having considered the material on record, this revisional application is disposed of by requesting the learned learned Civil Judge (Senior Division), 1st Court at Baruipur, South 24-Parganas to dispose of the aforesaid applications under Order 39 Rule 1 and 2, under Order 39 Rule 4 and under Section 151 of the Code as expeditiously as possible and preferably within a period of three months from the next date fixed without granting any unnecessary adjournment to either of the parties.
5. The petitioner shall be at liberty to make an application before the learned Trial Court for preponement of the dates and if such application is made, the learned Trial Court shall consider the same upon notice to all parties.

6. With the above observations, CO. 631 of 2026 stands disposed of. There shall be no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities

(Om Narayan Rai, J.)