

Court No. 6
(265719)
29.06.2026
(AD 13)
(S. Banerjee)

CO 1999 of 2026
UCO Bank
Vs.
Sandip Ghosh & Ors.

Mr. Sachetan Ghosh
Ms. Snigdha Tosh

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the UCO Bank praying for a direction upon the learned Judge, 11th Bench, City Civil Court at Calcutta to dispose of the application under Order 39 Rule 4 of the Civil Procedure Code expeditiously.

Learned advocate appearing for the petitioner submits that though the hearing of the application for injunction and the application under Order 39 Rule 4 of the Civil Procedure Code were fixed on June 22, 2026, the Order 39 Rule 4 of the Civil Procedure Code was not taken up for hearing on that date.

After going through the order dated November 13, 2025 this Court finds that the prayer of the plaintiff/opposite party no. 1 for ad interim injunction was allowed and the petitioner i.e., the UCO Bank was restrained from taking forcible possession of the suit property without due process of law. The petitioner filed an application under Order 39 Rule 4 of the Civil Procedure Code which is pending.

Since the ad interim order of injunction has been passed against the defendant no. 1, i.e., the

UCO Bank, there cannot be any impediment upon the learned trial judge to take up the hearing of the application under Order 39 Rule 4 of the Civil Procedure Code as the defendant no. 1 is only the aggrieved party against the ad interim order of injunction.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any notice upon the opposite parties. However, the learned advocate-on-record of the petitioner shall be obliged to forward a copy of this application along with a server copy of this order, upon the opposite parties or upon the learned advocate representing the opposite parties before the learned trial judge forthwith.

In the light of the submissions made by the learned advocate appearing for the petitioner, CO 1999 of 2026 stands disposed of by requesting the learned Judge, 11th Bench, City Civil Court at Calcutta to fix an early date of hearing of the injunction application and the application under Order 39 Rule 4 of the Civil Procedure Code and dispose of the same as expeditiously as possible but preferably within a period of six weeks from the next date fixed without granting any unnecessary adjournment to either of the parties.

(Hiranmay Bhattacharyya, J.)