

Jo code: WB01231

Cnr no. WBSP02-002689-2022

T.S Case No.-1159/2022

Order ,Date: 22.01.2024

Today is the date fixed for hearing .

Plaintiff takes step and also filed an application u/s 151 of the CPC for extension of ad-interim injunction petition.

A step has been taken on behalf of the defendant nos. 1 to 5, 8 to 24, 28 and 30 to 33 through their Ld. Advocates.

This Court has received this case record on 09.01.2024 from the Court of Ld. Civil Judge (Sr. Divn), 5th Court, Alipore.

Ld. Advocate for the defendant nos. 28, 30 to 33 prayed to take up the interim application i.e injunction application for hearing as per direction by the Hon'ble High Court to be disposed of within 31.01.2024.

On the other hand, Ld. Advocate for the plaintiff submitted that the amendment petition has been filed which is required to be disposed of prior to disposal of injunction application.

At this stage, Ld. Advocate for the defendant nos. 28 and 30 to 33 submitted that there were several interim petition pending for disposal which are required to be disposed of also.

Perused the case record and available materials therein.

It is settled position of law that amendment petition filed by any party is required to be heard and get preference over other application as it relates back to the date of filing. Therefore this Court will take up for hearing of amendment application prior to dispose of any other application.

At this stage, Ld. Advocate for the aforesaid defendants filed an adjournment petition seeking time for filing w/o which is considered and allowed.

Record also reveals that that expunge petition has been pending.

The case is adjourned today.

Ad-interim order of injunction be extended till next date.

Fix **27.02.2024** for hearing of amendment petition as well as expunge petition, w/o if any in the meantime.

Both parties are directed to be ready for hearing of the aforesaid petitions.

Dictd. & Corrtd. By me

Sd/-

**Civil Judge (Sr. Divn.), 1st Court,
South 24-Pgns , Alipore.**

Sd/-

**Civil Judge (Sr. Divn.), 1st Court,
South 24-Pgns , Alipore.**