

Title Suit No. 37 of 2025
CIS No. 37 of 2025
CNR No. WBBK07-000053-2025
Present : Sri Tanumoy Karmakar (J.O. Code: WB01209)

Order no. 04
Dated 08-04-2025

The record is put up today by way of a put up petition filed by the defendant no.1 & 2
The put up petition is considered and allowed.

Ld. Counsel on behalf of the defendants filed one application under Section 151 of the CPC with a prayer to prepone for hearing of temporary injunction application inter alia stating that the plaintiffs by suppressing the material facts got the order of injunction. Be it necessary to mention here that Ld. Counsel for defendant no.1 filed W.O. against the temporary injunction application including one application under Order 39 Rule 4 of CPC.

The copy of W.O. and the application filed under Order 39 Rule 4 of CPC were handed over to the Ld. Counsel for the plaintiffs and he received the same by putting his endorsement.

Now, the case record is taken up for hearing the application filed with a prayer for prepone the case.

Ld. Counsel on behalf of the defendants submitted that the instant case is fixed on 07-05-2025 and for exigency the said application is necessary for early hearing and disposal.

It is pertinent to mention here that speedy disposal is a fundamental right granted by the Constitution of India.

Accordingly, I have no impediment to allow the prayer of defendants.

Hence, I am with a considered view to fix the instant case on 30-04-2025 for hearing the said temporary injunction application as well as application filed by defendants under Order 39 Rule 4 of CPC.

Accordingly, defendants are directed to communicate the order pertaining to the fact of preponing the case with a further direction to submit an **affidavit-of-service** showing service to the plaintiffs regarding the fact of preponing.

W.O. by the plaintiffs against application under Order 39 Rule 4 of CPC, if any, in the meantime.

Update CIS forthwith.

Dictated & Corrected by me.