

**The Court of the Civil Judge (Jr. Divn.), Bidhannagar, North
24 Parganas.**

Present: Dhrubajyoti Bhattacharyya,
Civil Judge (Junior Division),
Bidhannagar, North 24 Parganas
Title Suit No. 27 of 2021.
CIS No. 27 of 2021.

Order, Bidhannagar, dated the 30th August, 2023.

This date is fixed for consideration of cause shown by the defendants. Parties have filed their respective memorandum of attendance. The cause shown in writing by the defendants is taken into consideration. The crux of the defendants' contention is that on 21.03.23 the defendants could not appear before this Court due to misposting in diary of the Ld. Counsel of the defendants.

This Court has heard submissions made by Ld. Counsel of both sides.

Latches on the part of the Ld. Advocate should not be a ground to pass any order adverse to the interest of the plaintiff. The cause shown is therefore found to be sufficient and is accepted. There is no necessity to make any order as to cost in this regard.

This Court finds that an application dt. 30.08.22 filed by the plaintiffs for restoration of ad interim order of injunction. The copy of it has already been served on the defendants. All the defendants have already appeared before this Court. The order of injunction was kept in abeyance on 25.03.22. the defendants have already filed an application U/o-XXXIX Rule 4 of CPC. Plaintiff has already filed a W.O to that effect. Thu this Court finds no urgency to hear the application for restoration separately and the plea to the effect may be taken up with the consideration as to the prayer for temporary injunction U/o-XXXIX Rule 1 & 2 of CPC.

Fix 20.11.2023 for hearing of the application for temporary injunction, application U/o-XXXIX Rule 4 of CPC and application for restoration of ad interim order of injunction. Parties are directed to come ready. No unnecessary adjournment shall be granted. Ordered accordingly.

Update CIS accordingly.

Civil Judge (Jr. Divn.)/BDN