

13.04.2026
D/L
SI-45
Ct. 06
(Susanta)

CO. 1244 of 2026

Sri Sailen Kumar Sadhukhan
V.
Sri Chhote Lal Khatik @ Sonkar & Anr.

Mr. Biplab Ranjan Bose,

... for the petitioner.

1. This revisional application is directed against an order dated July 30, 2025 passed by the learned District Judge, Howrah in Misc. Appeal No. 123 of 2025, which has been extended from time to time.
2. The opposite parties have instituted Title Suit No. 874 of 2025 before the learned Civil Judge (Junior Division), 5th Court Howrah praying, inter alia, for a decree of declaration of tenancy right and injunction. In the said suit, an application for temporary injunction under Order XXXIX Rules 1 & 2 read with Section 151 of the Code of Civil Procedure, 1908 had been filed. The said application was pressed for ex parte ad interim order of injunction, which was refused.
3. Feeling aggrieved by such refusal, the opposite parties approached the Appellate Court by filing Misc. Appeal No.123 of 2025 wherein an ex parte ad interim order of injunction was passed on July 30, 2025. The said ex parte ad interim order dated July 30, 2025, has been extended from time to time.

4. Mr. Bose, learned advocate appearing for the petitioner submits that the ex parte ad interim order of injunction passed by the Appellate Court is operating harshly on the petitioner.
5. Having heard the learned advocate appearing for the petitioner and having considered the material on record, this Court is of the view, that justice would be subserved if the learned District Judge, Howrah is requested to expeditiously dispose of Misc. Appeal No. 123 of 2025 itself. The petitioner shall be at liberty to appear before the learned Appellate Court on the next date fixed and to pray for time to file written objection which shall be granted by the learned Appellate Court. The learned District Judge is requested to dispose of Misc. Appeal no 123 of 2025 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.
6. The petitioner shall serve a copy of this revisional application along with a copy of this order upon the opposite parties within a week from date.
7. With the above observations, CO. 1244 of 2026 stands disposed of. There shall be no order as to costs.
- 8.** 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.)