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20.11.2020.
b.d/d.p.

**C.O. 1237 of 2020
(CAN 1 of 2020)
(Via Video Conference)**

**Smt. Arati Rani Paul
-vs-
Samir Paul & Ors.**

**Mr. Souradipto Banerjee,
Mr. Subhojit Mallick.
...For the Petitioner.**

**Mr. Aniruddha Chatterjee,
Mr. Kushal Chatterjee,
Mr. Saptarshi Mal,
Mr. Debabrata Roy.
...For the Opposite Parties.**

The instant civil revisional application is against an order dated 22nd June, 2020 passed by the Additional District and Sessions Judge, 1st Court at Sealdah in an appeal filed by the opposite parties herein from a Title Suit filed by the opposite parties in the court below. By the impugned order, the parties were directed to maintain status quo in respect of the prayer of the appellants (the opposite parties herein) under an application filed under Order 39 Rules 1 and 2 of The Code of Civil Procedure till a certain date. The order of injunction has been extended thereafter from time to time.

Learned counsel appearing for the petitioner submits that the appeal court passed the order of injunction disregarding documentary evidence of certain investment which was made by the petitioner's client namely the mother of the two daughters and two sons in her individual capacity. Counsel submits that the opposite parties were unsuccessful in getting any

relief from the first court and their injunction application was dismissed by a detailed order.

Learned counsel appearing for the opposite parties submits that the dispute is essentially in the nature of a family dispute involving sums of money between the parties involving the petitioner/mother her two daughters and two sons who are the opposite parties. Counsel submits that this is a fit case when the family members can be directed to sort out their dispute and differences between themselves.

On hearing learned counsel and perusing the impugned order, this Court is of the view that the impugned order is singularly bereft of any reasons for granting the order of injunction. The learned court below has only stated that if an order of status quo is not passed, the purpose of granting an injunction would be defeated by delay and the appellant will suffer irreparable loss and injury.

Having considered the prayer in the injunction application as well as a schedule of assets to the application for injunction filed by the appellants/opposite parties, this Court is of the view that before a blanket order status quo is passed, it is imperative upon the Court to record its reasons which must have a direct co-relation between the rights of the parties and the relief claimed. The order impugned does not specify any of the aforesaid grounds.

C.O. 1237 of 2020 is accordingly disposed of by setting aside the impugned order dated 22nd June, 2020 passed by the learned Additional District and Sessions Judge, 1st Court at Sealdah arising out of Title Suit No. 102 of 2020.

As suggested by counsel, the parties will be at liberty to explore an amicable settlement of the disputes before the matter is heard in December 2020 and will not take any steps to make the suit infructuous.

The connected application being CAN 1 of 2020 is also disposed of.

(Moushumi Bhattacharya, J.)