

22.03.2021
KC(5)

F.M.A.T. 174 of 2021
Anwarul Islam @ Shaikh Anwarul Islam and Anr.
-versus-
Ejaz Ahmed and Ors.
With
CAN 1 of 2021

(Via Video Conference)

Mr. Debdut Sinha,
Md. Shaiful Alam.....For the appellants.

Mr. Tarique Quasimuddin,
Mr. Abbas Ibrahim Khan.....For the respondents

We propose to dispose of this appeal, dispensing with all formalities.

It is against an ad-interim ex parte order dated 29th January, 2021 of the learned City Civil Court, Calcutta.

It is an ad-interim order restraining the appellants “from causing any obstruction and/or disturbance on the peaceful possession of the suit flat and suit shop room at premises being no. 7/1, Marquis Street, P.S.-Park Street, Ward no.-62, Kolkata-700 016” and “from creating any third party right, title and interest over the aforesaid flat and shop”.

The interim order was operational till 1st March, 2021. It has subsequently been extended.

The application was to appear before the learned court on 1st March, 2021.

We are almost at the end of March, 2021. It would be proper and subserve the ends of justice if the returnable date of the application is fixed by the court below as early as possible and the application heard out by it in the presence of the parties expeditiously. At that stage the court shall once again consider extension of the interim order or vacation thereof.

All points are kept open before the court below.

The appeal (F.M.A.T. 174 of 2021) and the application (CAN 1 of 2021) are disposed of.

(I.P. MUKERJI, J.)

(MD. NIZAMUDDIN, J.)