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SK
Ct. No. 18
12.03.2021

**C.O. No. 519 of 2021
(Via Video Conference)**

**Smt. Harmeet Kaur & Ors.
Vs.
Sri Kishorilal Agarwal & Ors.**

Mr. Aniruddha Chatterjee,
Mr. Kushal Chatterjee,
Mr. Abirlal Chakraborty ... For the petitioners.

Mr. Sakya Sen,
Ms. Sormi Dutta,
Mr. Rajib Mullick,
Mr. Rakesh Sankar ... For the opposite party no. 1.

The revisional application under Article 227 of the Constitution of India is arising out of an appeal from a preliminary decree of partition.

The petitioners are praying to be added in the said appeal.

The petitioners by the instant application are praying for a direction upon the appeal Court below for disposal of the application of their addition in the said appeal before disposal of the application filed by some of the appellants for an order of injunction.

Mr. Sen, learned counsel appearing on behalf of the opposite party no. 1 submits that the appeal itself is yet to born as the delay in filing the said appeal has not yet been condoned and the appeal Court below has fixed April 27, 2021 for consideration of the application for condonation of delay.

That being the position, the direction as prayed for by the petitioners is not warranted.

C.O. 519 of 2021 is disposed of with the above observation.

No order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)