

22.11.2021
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FMAT 391 of 2021
with
CAN 1 of 2021
(via video conferencing)

Javed Azam Hariri alias Javed Alam Hariri & Ors.
Vs.
K. Suleha Begum & Ors.

Mr. Aniruddha Chatterjee
Mr. Debabrata Roy
..... for the appellants

Mr. Syed Ehtesham Huda
..... for the respondent no. 1

Mr. Chatterjee, learned Counsel appearing for the appellants submits that injunction was denied at the ad-interim stage on absolutely incorrect considerations. It is also submitted that the learned trial court failed to consider that defendants/respondents were undertaking illegal construction violating the sanctioned plan.

This is, however, disputed by the learned Counsel appearing for the defendant/respondent no. 1 who submits that the appeal is infructuous as the injunction application has been heard out finally and date has been fixed on 23rd November, 2021 for passing order thereon.

In view of the subsequent development in the matter, we choose not to go into the merits of the appeal and the same is accordingly disposed of

observing that the trial court may dispose of the injunction application at the earliest.

In view of disposal of the appeal, connected application being CAN 1 of 2021 is also disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)