

03.12.2021
SL No.25
Court No.8
(gc)

**FMA 1122 of 2017
With
CAN 1 of 2017
(Old No: CAN 5522 of 2017)**

**Pradip Paul & Ors.
Vs.
Dipak Paul & Ors.**

(Via Video Conference)

None appears on behalf of either of the parties, nor any accommodation is prayed for on behalf of the appellants.

However, considering the nature of the dispute between the parties and also having regard to the fact that on 17th August, 2017, parties were directed to maintain status quo in relation to the suit property and not to alienate and/or create any third party interest till the disposal of the injunction application, we feel that no useful purpose would be served keeping the appeal pending. Moreover, it appears that the learned Civil Judge (Senior Division), 1st Court, Barasat had fixed 20th July, 2017 for framing of issues. We presume that substantial progress has been made towards the final hearing of the suit.

Under such circumstances, we affirm the interim order and dispose of the appeal and the application by directing the learned Civil Judge (Senior Division), 1st Court, Barasat to dispose of the suit within one year from

the date of communication of this order if it has not already been disposed of in the meantime.

Let a copy of this order be communicated to the learned Civil Judge (Senior Division), 1st Court, Barasat for information and record.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Ajoy Kumar Mukherjee, J.)

(Soumen Sen, J.)