

17.11.2021
Ct. No.15
Sl. No.16
akd

**F.M.A. 823 of 2021 [via video conference]
CAN 1 of 2018 (Old No. CAN 7028 of 2018)**

[Sk. Jakiruddin & Ors. -Vs- Sk. Sirajuddin & Ors.]

Mr. Siddhartha Sarkar
Mr. Akash Ghosh

... .. for the appellants

Appellants have challenged the order dated 25th June, 2018 passed in T.S. No.04 of 2016 whereby the ad-interim order of injunction dated 4th February, 2016 was made absolute and it was directed that both the parties maintain status quo in respect of possession and title of the suit property till the disposal of the suit. The suit was one of partition. It was contended notwithstanding similar order of status quo with regard to possession and title passed at the ad-interim stage, the defendants in flagrant violation of such order had transferred portions of the suit property to third parties. Hence, it is contended an order restraining further transfer ought to have been passed.

We have considered the submission of the learned counsel appearing for the appellants. Ad-interim order was made absolute and the parties have been directed to maintain status quo with regard to possession and title of the suit property. The order of status quo with regard to title and possession infact is an embargo to further transfer from the date on which the same is passed and therefore, we are of the opinion that the interest of

the appellants-plaintiffs is sufficiently protected and no interference is called for.

The appeal is accordingly, disposed of.

In view of disposal of the appeal, the connected application, if any, is also disposed of.

There shall be no order as to costs.

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

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)