

13 21.6.2022

FMA 1372 of 2014

Ct-08

**Smt. Maya Mishra
Vs.
Sri Buddhadeb Mukherjee & Ors.**

ar

The parties are not represented even in the second call, nor any accommodation is prayed on their behalf.

It appears that on the earlier occasion the parties were not also unrepresented and the matter was directed to appear on 5th July, 2021 “For Dismissal”.

The appeal has arisen out of an order dated 26th July, 2013 passed by the learned Civil Judge (Senior Division), 9th Court at Alipore in Title Suit No. 110 of 2011.

The Trial Court declined to pass any order of injunction in view of the direction of the Hon’ble Court passed in CO 1990 of 2012 that any such order, if passed, would be in derogation of the order of the Hon’ble High Court granting stay of the suit.

The view expressed by the Trial Court in refusing to grant any interim injunction, that date does not appear to be unreasonable or perverse.

In view of the above, the appeal accordingly stands dismissed.

(Siddhartha Roy Chowdhury,J.)

(Soumen Sen, J.)

