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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 3rd September, 2013 in connection with an injunction petition filed by the plaintiff in a suit for partition.

The Trial Court directed the parties to maintain status quo with regard to the suit property till the disposal of the suit. The impugned order reveals that the parties to the proceeding are co-sharers of the suit property and the defendants tried to oust the plaintiff from the suit property.

The defendants appeared to have constructed house according to the plan and claimed that they are in possession of the property by virtue of their possession. In a suit for partition, it is desirable that the parties shall not alter their shares or cause any inconvenience to other co-owners with regard to the enjoyment of the suit property.

On such consideration, we do not find any reason to interfere with the order passed by the Trial Court. It further appears that the matter appeared earlier on 1st July, 2021 when none had appeared on behalf of the parties, for which

the matter was fixed on 5th July, 2021 “For Dismissal”.

For the reason recorded above, we do not find any merit in the appeal and the appeal accordingly stands dismissed.

(Siddhartha Roy Chowdhury,J.)

(Soumen Sen, J.)