

10.01.2022

Sl. 5 to 8
Ct.No. 03
Amalranjan

(Via Video Conference)

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

**FMAT 476 of 2021
With
CAN No. 1 of 2021**

**Smt. Chitra Das Parui & Ors.
Vs.
Smt. Sipra Chakraborty & Anr.**

With

**FMAT 289 of 2021
With
CAN No. 1 of 2021**

**Smt. Chitra Das Parui & Ors.
Vs.
Smt. Sipra Chakraborty & Anr.**

With

**FMAT 153 of 2021
With
CAN No. 1 of 2021
With
CAN No. 2 of 2021**

**Smt. Chitra Das Parui & Ors.
Vs.
Smt. Sipra Chakraborty**

With

**FMAT 350 of 2021
With
CAN No. 1 of 2022**

**Smt. Chitra Das Parui & Ors.
Vs.
Smt. Sipra Chakraborty & Anr.**

Mr. Gopal Chandra Ghosh

...for the appellants

Mr. Debjit Mukherjee

...for the respondents

An ex parte ad-interim order of injunction was passed by the learned court below on 9th December, 2020, in an application under Section 9 of the Arbitration and Conciliation Act, 1996,

restraining the appellants/opposite parties“from changing the nature and character of the suit land described in the schedule till 30/03/2021 on condition that the petitioner/plaintiff will take appropriate steps within statutory period for appointment of an Arbitrator.

Issue notice upon the opposite parties directing them to show cause by 30.03.2021 as to why an order of ad-interim injunction shall not be allowed against them in terms of the prayer, so made by the petitioner.

Requisite be filed at once.

Petitioner to comply with the provision as laid down under Order 39 Rule 3(a) and 3(b) of the C.P.C.

Fix 30.03.2021 for S/R & A/D.

Dictated & corrected by me.”

The appeal from that order was filed on or about 29th February, 2021 and marked as FMAT 153 of 2021.

Subsequently, this order of injunction was extended from time to time by the learned court below. The last of such extension made on 4th January, 2022 till 13th April, 2022. Each of these extensions is also the subject matter of a separate appeal by the appellants FMAT 289 of

2021, FMAT 350 of 2021 and FMAT 476 of 2021. The fact that is relevant is that this interim order is continuing for more than one year. The interlocutory application has become ready for hearing before the learned court below after exchange of affidavits.

We are of the view that the said application should be disposed of as expeditiously as possible by the said court, positively within six weeks from date after hearing the parties and by a reasoned order. We order accordingly.

All the above appeals and the connected applications are disposed of by this order.

(Kausik Chanda,J.)

(I. P. Mukerji,J.)