

25.11.2022
SL No.23
Court No.8
(gc)

FMAT 394 of 2014
CAN 1 of 2014 (Old No: CAN 4666 of 2014)

Sri Pinaki Hazra
Vs.
Goutam Hazra & Ors.

This matter appeared in the warning list on 16th November, 2022 with a clear indication that the appeal shall be transferred to the daily list on 21st November, 2022.

The appellant is not represented nor any accommodation is prayed for on behalf of the appellant, although, the appellant has sufficient knowledge and notice of the listing of this matter. This appeal was filed in or around April, 2014 but since then no attempt has been made to move this appeal or the connected application. The defects have also not been removed.

The appeal is arising out of a judgment and order dated 12th February, 2014 passed by the learned Civil Judge, Senior Division, 1st Court at Barasat in connection with a suit filed by the plaintiff for injunction and other consequential reliefs. The learned Trial Judge in considering the nature of the dispute refused to pass ad-interim order of injunction in favour of the plaintiff/appellant. The impugned order is dated 12th February, 2014. This appeal has spent its force. The appellant is also not interested to proceed with the matter.

We do not find any reason to interfere with the order of refusal passed by the learned Trial Judge.

Accordingly, the appeal and the connected application stand dismissed.

However, there shall be no order as to costs.

This order shall be communicated to the learned Civil Judge, Senior Division, 1st Court at Barasat by the Registrar Administration (L&OM) for information and doing the needful.

(Uday Kumar, J.)

(Soumen Sen, J.)