

19.09.2022

Sl.No. 88

Ct.No.3

Amalranjan

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

FMAT 304 of 2022

Subrata Mitra

VS

Krishna Dey

With

CAN/1/2022 (Stay)

Mr. Lutful Haque

...for the appellant/defendant

Mr. Susen Banik

Mr. Srikanta Datta

...for the respondent/plaintiff

Re: CAN/1/2022 (Stay)

Having heard learned counsel for the parties, we admit the appeal and dispose of the same along with the connected application dispensing with all formalities by requesting the learned court below to pronounce a final decree in this partition suit as expeditiously as possible positively by 15th September, 2023.

Status quo regarding ownership possession and construction activities will be maintained by the parties till the disposal of the suit, subject to any order that may be passed by the learned judge of the court below.

The appellant may apply before the learned court below for leave to make construction on

the part of the property occupied by him, provided the other co-sharers are agreed to such construction being made by the appellant on that particular portion of the property; in that event, the learned court below will consider the application for appropriate orders upon hearing of the interested parties.

(Biswaroop Chowdhury,J.) (I. P. Mukerji,J.)