

28.09.2022
KC(13)

F.M.A.T. 331 of 2022
Sanjib Sadhukhan
-versus-
Mrinal Kanti Ghosh and Ors.
With
CAN 1 of 2022

Mr. Debrup Bhattacharjee.....For the appellant.

Mr. Asok Kumar Ganguly.....For the respondent
no. 1.

We admit this appeal. It is possible to dispose of it,
as we propose to do now, after dispensing with all
formalities.

Learned court below may be requested to hear out
the injunction application as early as possible.

We record that in another suit (Title Suit No. 703 of
2022 : Mrinal Kanti Ghosh -vs- Somnath Sadhukhan and
Ors.), concerning the same property where the
respondent no. 1 is the plaintiff, the learned Civil Judge
(Junior Division) at Barasat on 21st July, 2022 passed an
order restraining the appellant from interfering with his
possession.

We think that the interest of justice would be
served if in this suit a similar order is passed restraining
the respondent from disturbing the possession of the
appellant/plaintiff. We order accordingly.

We also record the statement made by learned counsel for the respondent that his client has got no intention at the moment to transfer the property.

The appeal (F.M.A.T. 331 of 2022) and the connected application (CAN 1 of 2022) are disposed of.

(I.P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)