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|-----------|------------|--------------------------------------|
| Item-142. | 21-12-2022 | FMAT 1112 of 2014                    |
|           |            | Sunil Das @ Sunil Chandra Das & Ors. |
|           |            | Versus                               |
| sg        | Ct. 8      | Gour Hari Roy & Ors.                 |

The matter appeared in the warning list on 29<sup>th</sup> November, 2022 and thereafter transferred to the regular list on 5<sup>th</sup> December, 2022. There was a clear indication in the list that the matter shall be transferred to the daily cause list on 5<sup>th</sup> December, 2022 and since then the appeal is appearing in the list.

The appeal is defective. The appeal was presented on 19<sup>th</sup> September, 2014. The Stamp Reporter has duly notified few defects in its report dated 26<sup>th</sup> September, 2014. In spite of having due notice, no attempt has been made to remove the said defects.

However, we have gone through the impugned order. The order is dated 9<sup>th</sup> July, 2014. The learned Trial Judge directed the defendants to maintain status quo regarding nature and character of the suit property on that date till disposal of the suit. The said order was passed on consideration of the title deed produced by the plaintiffs in respect of the suit property.

In view thereof, we do not find any reason to interfere with the order passed by the learned Civil Judge (Senior Division), Diamond Harbour, South 24 Parganas.

The appeal stands dismissed. However, there shall be no order as to costs.

However, in the unlikely event of the suit is pending, we request the learned Civil Judge (Senior Division), Diamond

Harbour, South 24 Parganas to dispose of the Title Suit No. 3 of 2010 as expeditiously as possible preferably within a period of six months from the date of communication of this order by the office of the learned Registrar Administration (L&OM) without granting any adjournment to either of the parties unless it is unavoidable.

This order shall immediately be communicated to the learned Registrar Administration (L&OM) for information for doing the needful.

**(Uday Kumar, J.)**

**(Soumen Sen, J.)**