

18.10.2023.
Item No. 2.
Court No. 13
sp

F.A. No. 402 of 2003

Sri Mahadeb Pal & Ors.
Versus
Sri Santosh Roy & Ors.

Mr. Aniruddha Chatterjee,
Mr. Surya Prasad Chattopadhyay,
Mr. Satya Ranjan Kundu

...For the appellants.

Mr. Soumik Ganguli,
Ms. Chandana Chakraborty

..For the respondent no.2.

1. The costs as directed by this Court in the order dated October 11, 2023 has not been paid till date.
2. Mr. Aniruddha Chatterjee, learned counsel for the appellants assured that such costs will be paid in course of the day. This Court takes a grim view of the conduct of the appellants.
3. Since the appeal cannot be taken up one day before the commencement of the long Puja vacation, there shall be an order of status quo in respect of the suit properties whether already transferred or otherwise to the respective co-sharers.
4. Needless to mention that since the appeal is an extension of the suit, the doctrine of lis pendens would apply in respect of all the suit properties from the date of filing of the suit.

5. The Registry shall call for the LCR with urgency and expedition and notify the appellants immediately upon receipt.
6. The appellants shall prepare paper book and file sufficient copies in Court and also effect service to all parties represented before this Court.
7. Notice of this order shall also be given to all parties who are not represented today.
8. List the matter on **December 11, 2023** for further consideration.

(Rajasekhar Mantha, J.)

(Supratim Bhattacharya, J.)