

24.02.2023
KC(2)

IN THE HIGH COURT AT CALCUTTA
CIVIL AAPPELLATE JURISDICTION
(COMMERCIAL DIVISION)

F.M.A.T. 21 of 2023
Jaydip Dutta and Anr.
-versus-
Sangopang Bricks Private Limited
With
CAN 1 of 2023

Mr. Anubhav Sinha,
Mr. Ashish Shar.....For the appellants.

Mr. Debabrata Saha Roy,
Mr. Pingal Bhattaharya,
Mr. Rajdeep Sinha.....For the respondents.

This appeal and the connected application are appearing in our list as “To Be Mentioned” for the purpose of consideration whether the interim order ought to be extended.

We find that the limited interim order passed by this court on 24th January, 2023 in this appeal against the refusal of the learned court below to pass an *ex parte* order of injunction, is effective till today. The said order dated 24th January, 2023 was also passed *ex parte*.

The returnable date of the application is 25th April, 2023 before the learned Commercial Court at Rajarhat.

We think it would be just and proper if the said interim order dated 24th January, 2023 is extended for a period of two months and the learned court below be requested to consider the interim application upon hearing the parties and dispose of it within the said period.

We order accordingly.

Further, the appellants shall within ten days from date make an application to the learned court below to prepone the returnable date of the interim application to 15th March, 2023. On such application being made, the learned court below shall prepone the date accordingly.

All points are kept open before the learned court below. This interim order is subject to orders that may be passed by that court.

The appeal and the connected application are disposed of, dispensing with all formalities.

(I.P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)

