

03.04.2023
ASR 13.

FMAT 62 of 2023
With
CAN 1 of 2023

Bhakti Prasad Das & Anr.
Versus
Gita Rani Das & Ors.

Mr. Pinaki Ranjan Mitra

.....for the appellants

Mr. Rafikul Khan

....for the respondent nos. 1,2,3 and 7

Mr. Gautam Quria

.....for the respondent no. 6

After hearing learned counsel for the parties, we dispose of the appeal and the connected application by directing that the interim application is to be heard out before the learned court below upon notice of hearing to the respondents/defendants and by a reasoned order within two months from the date of communication of this order.

Considering the allegation and counter allegation made regarding threatened transfer by the parties of their undivided share in the property-in-question and the acrimony between them, we direct that status quo regarding possession of the property is to be maintained

till disposal of the suit or until further orders of the learned court below whichever is earlier.

The parties shall not create any breach of peace on the property and, if any, incident of breach of peace or physical assault on each other by the parties is complained of to the local police station, the Officer-in-charge will take appropriate action in accordance with law.

All points are kept open before the learned court below.

(I. P. Mukerji,J.)

(Biswaroop Chowdhury,J)