

01-09-2023
Item no.8 CD
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
(Commercial Division)

FMAT No.367 of 2023
Shaily Kajaria
-vs-
Prem Sequeira & Ors.
with
CAN No.1 of 2023

Mr. Abhrajit Mitra, sr. adv.
Ms. Rajshree Kajaria, adv.
Mr. Satadeep Bhattachryya, adv.
Mr. Uttam Sharma, adv. ...for the appellant

We admit this appeal which we have allowed to be moved ex parte.

As the matter is returnable before the learned court below on 4th September 2023, we are inclined to dispose of this appeal with the observations that on the returnable date, the said court shall reconsider whether any interim order is to be passed in the application or not, after hearing all the parties and by a reasoned order. All points are kept open before the said court. We order accordingly.

To enable the learned court below to reassess the case of the parties, till 22nd September 2023, or until further order of the said learned court, whichever is earlier, the respondents or the police authorities shall not take any steps in furtherance of any complaint or any FIR filed before the police authorities with regard to the subject matter of dispute. The concerned police authorities are also restrained from taking any action, if any fresh complaint or FIR regarding the subject matter of dispute is lodged.

The appeal and the connected application are,
thus, disposed of.

[I.P. Mukerji, J]

[Biswaroop Chowdhury, J]