

September 25, 2023
Sl. No.33
Court No.19
s.biswas

CO 2954 of 2023

The Collector, Hooghly and others
vs.
Sri Sridam Koley and others

Mr. Debabrata Banerjee

... for the petitioners

By the order dated May 31, 2023, an order of status quo in respect of the suit property had been passed by the learned Additional District Judge, 1st Court, Serampore, Hooghly. Such ad interim order was extended by subsequent orders dated June 17, 2023 and July 4, 2023.

The petitioners are aggrieved by the aforementioned orders and prayed for stay of operation.

This court is of the view that allowing stay of operation of the status quo order would amount to allowing the revisional application in its final form before the other opposite parties are heard. Rather, pendency of the revisional application will cause further delay in the matter.

The court is of the view that the misc. appeal along with the pending injunction application should be disposed of expeditiously, as a government project has been stalled.

Under such circumstances, this revisional application is disposed of, granting liberty to the petitioners to file a put up petition praying for

preponment of the date of hearing of injunction application and the misc. appeal. Such application shall be served upon the learned advocates for the opposite parties. The learned court below shall act accordingly, taking into consideration the nature of the dispute and the project which has been stalled and dispose of the appeal with the injunction application, in accordance with law, mandatorily within a period of two months from the next date fixed by the learned court below.

The revisional application is thus disposed of.

All the parties are directed to act on the basis of the server copy of the order.

Urgent Photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Shampa Sarkar, J.)