

December 19, 2023
Sl. No.26
Court No.19
s.biswas

CO 3735 of 2023

Smt. Anjali Sarkar and another
vs.
Munmun Ganguly and others

Mr. Saptarshi Kumar Kundu

... for the petitioner

The revisional application has been filed challenging an order September 15, 2023, passed by the learned Civil Judge (Senior Division), Ranaghat, Nadia in Title Suit No.236 of 2022.

By the order impugned, the learned court below rejected the application under Section 151 of the Code of Civil Procedure for implementation of the ad interim order of injunction in the nature of status quo, with the help of the police.

It is submitted that during the pendency of the revisional application, the opposite party nos.1 to 7 have constructed a boundary wall and also sold the properties in violation of the order of injunction.

It is pertinent to mention that the ad interim order of injunction in the nature of status quo has been made absolute and both the parties were directed to maintain status quo, till the disposal of the suit. The subsequent developments which have taken place, according to Mr. Kundu, amount to violation of the order of injunction.

In my opinion, the revisional application has become infructuous. The petitioner is granted liberty to proceed in accordance with law and approach the learned court by filing applications both for violation of the injunction order as also for restoration of the property in accordance with the provisions of law. If such applications are filed, the same shall be disposed of on the basis of the documents and evidence that may be adduced by the respective parties.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)