

16.01.2023
ASR . 18.

FMAT 478 of 2022
With
CAN 1 of 2023

Vijay Sharma
Versus
Shrimati Gouri Bhattacharjee & Ors.

Mr. Rabindranath Mahato
Mr. Aritra Shankar Ray

.....for the appellant/petitioner

Mr. Bellal Shaikh
Mr. Protim Chakraborty

.....for the respondent nos. 1 to 9

We propose to dispose of the appeal and the stay application dispensing with all formalities.

Since on the date of filing of the suit substantial construction work had been undertaken by the respondents, we are not minded to stop this construction.

We only observe that any dealing with or construction on the subject property will abide by the result of the suit.

However, the respondents are restrained from transferring, alienating, encumbering or otherwise dealing with the subject property from this day till disposal of the suit. The order will not affect any

existing contract for transfer etc. The suit is to be decreed by 31st March, 2024.

Either of the parties will make an appropriate application before the learned court below for giving effect to this order, by obtaining direction for filing of written statement, for discovery and inspection of documents etc.

The appeal and the connected application are disposed of.

(I. P. Mukerji,J.)

(Biswaroop Chowdhury,J)