

10.09.2024
Court No.13
Item No.1
sp

FMA 1066 of 2013
With
CAN 1 of 2012
Bharat Petroleum Corporation Ltd.
Vs.
M/s. Khalsa Transport & Ors.

Mr. Sanjib Kr. Mal,
Mr. Bimalendu Das,
Ms. Shomrita Das

..for the appellant

1. The appeal is directed against an interim order of status quo dated 12.03.2012 passed in a suit for declaration, permanent injunction and recovery of possession filed by the appellant against the respondent. The impugned order was passed by the learned 8th Civil Judge (Senior Division) at Alipore in TS No. 2045 of 2007.

2. Having regard to the facts and circumstances of the case, this Court is of the view that the order calls for no interference. The said order shall continue until disposal of the suit.

3. The trial Court is directed to expeditiously dispose of the suit.

4. FMA 1066 of 2013 shall stand dismissed.

5. Let the TCR be returned to the Court below expeditiously and if permissible by special messenger,

costs whereof shall be put in by the appellant by Friday (13.09.2024).

6. Let a copy of this order be sent by the Registry to the trial Court.

7. The appellant shall communicate of a copy of this order to the respondents.

8. In view of the above, CAN 1 of 2012 shall also stand dismissed.

9. There shall be no order as to costs.

10. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)