

In The High Court At Calcutta
Civil Revisional Jurisdiction
(Appellate Side)
C.O. 2778 of 2024

Smt. Sadhana Guin & Ors.
Vs.
Shri Gour Chandra Das & Anr.

Mr. Siva Prasad Ghosh ... For the petitioners.

Ms. Avipsa Chatterjee ... For the opposite parties.

The opposite party no.1 has suffered a decree of eviction and has challenged the said decree in an appeal being *Title Appeal No. 32 of 2022*, which is pending before the learned Additional District Judge, Fast Track, 2nd Court at Barrackpore, District – 24 Parganas (North).

The appeal Court below by the order impugned being Order No. 15 dated July 24, 2024 has unconditionally stayed the operation of the said judgment and decree.

The appellant is not entitled to such a blanket order of stay; he must be put into terms for grant of such order of stay.

The impugned order is therefore set aside; the appeal Court below is requested to decide the application for stay afresh in accordance with law. In view of the nature of the decree, the appeal Court is requested to expedite the disposal of the said application for stay.

C.O. 2778 of 2024 is thus disposed of without any order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)