

6th February,
2025
(AK)
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F.M.A. 350 of 2024
IA No: CAN 1 of 2024

Shyam Sundar Kedia
Vs.
Sandeep Kedia and others

Mr. Supratim Dhar
Ms. Munmun Tewary
Mr. Gourav Sarkar

...for the appellant.

Mr. Debmalya Ghoshal
Mr. Tanmoy Sett
Ms. Sucheta Das

...for the respondent nos.1 to 3.

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee

...for the respondent no.55.

1. Mr. Sarkar, appearing for the appellant, led by his senior Mr. Dhar, argues that the learned Trial Judge erred in law and in fact in passing an order of status quo, thereby restraining the defendants/appellants from changing the nature and character as well as possession of the property.
2. However, we find from the impugned order that sufficient reasons have been attributed by the learned Trial Judge for granting status quo.
3. Moreover, since the suit is one for partition and it is required that the nature and character of the properties ought to be maintained *in statu quo*

during pendency of the suit, we do not find any illegality in the impugned order.

4. Accordingly, FMA 350 of 2024 is dismissed under Order XLI Rule 11 of the Code of Civil Procedure. Consequentially, CAN 1 of 2024 is also dismissed without any order as to costs.
5. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)