

Court No. 6
(265719)

17.03.2025
(AD 42)
(S. Banerjee)

CO 866 of 2025

Anil Kumar Agarwal
Vs.
Anupama Prakash & Ors.

Sk. Rezaul Islam

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the first defendant and is directed against an order dated October 18, 2023 passed by the learned Judge, 12th Bench, City Civil Court at Calcutta in Title Suit No. 2215 of 2023. By the said order the learned trial Judge directed maintenance of status quo with regard to possession, nature and character of the suit property for a limited period.

The said order is an appellable order under the provisions of Order 43 Rule 1(r) of the Code of Civil Procedure.

At this stage the learned advocate for the petitioner submits that he is not aggrieved by such order but submits that the learned City Civil Court lacks pecuniary jurisdiction to entertain the instant suit. He submits that an application under Order 7

Rule 11 of the Code has been filed and a direction be passed upon the learned trial Judge to dispose of the same expeditiously. It appears from the order-sheet that the said application has been heard out by the learned trial Judge and June 3, 2025 has been fixed for passing necessary orders.

In view thereof, this Court is not inclined to pass any direction upon the learned trial Judge.

CO 866 of 2025 stands disposed of with the above observations.

(Hiranmay Bhattacharyya, J.)