

Sl.171
13.06.2025
Court No.6
BP

C.O. 1881 of 2025

Jayanta Kumar Pramanik
-versus-
Prasanta Pramanik & Ors.

Mr. Rabindranath Mahato
Mr. Aritra Shankar Ray
... for the petitioner

Mr. Sukanta Das
..for the opposite party nos. 1 to 3

This application under Article 227 of the Constitution of India is at the instance of the 1st defendant and is directed against an order dated April 9, 2025 passed by the learned Civil Judge (Senior Division), Third Court in Charge at Medinipur, Paschim Medinipur in Title Suit No. 367 of 2021.

By the order impugned the application seeking permission to cultivate the suit land stood rejected.

Mr. Mahato, learned advocate appearing for the petitioner submits that he is in possession of a specific portion of the suit property and, therefore, the learned trial judge ought to have allowed the petitioner to cultivate the plot nos. 315, 316/ 443 and 314/445.

The opposite party nos. 1, 2 and 3 has filed a suit for partition. In such a suit the learned trial judge by an order dated 7th May, 2022 directed the plaintiffs and the defendant no.1 to maintain status quo in respect of their respective possession and existing nature and character of the “A” schedule property till the disposal of the suit.

The learned trial judge held that the defendant no.1 failed to establish which portion he is in exclusive possession by way of amicable arrangement amongst the co-sharers.

This Court finds that the order of status quo is still in subsistence and the interest of the parties are being protected by such order.

For such reason, this Court is not inclined to interfere with the order impugned.

Accordingly, C.O. 1881 of 2025 stands disposed of.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)