

Court No. 6
(265719)

12.06.2025
(AD 29)
(S. Banerjee)

CO 1978 of 2025

Abhijit Das
Vs.
Bipasha Das & Ors.

Mr. Bhagabat Chaudhuri
Ms. Gopa Mainan

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the 1st defendant and is directed against the order being no. 2 dated May 16, 2025 passed by the learned District Judge, Howrah in Misc. Appeal No. 79 of 2025.

Learned advocate appearing for the petitioner submits that the plaintiff failed to obtain an ad interim order of injunction and being aggrieved against such order filed the instant misc. appeal.

In the misc. appeal the learned District Judge passed an order directing the petitioner herein and the appellant in the Misc. Appeal no. 79 of 2025 to maintain status quo in respect of nature, character and possession of the suit property till June 13, 2025.

Learned advocate appearing for the petitioner submits that the said order of injunction was obtained by suppressing material facts.

After some arguments the learned advocate appearing for the petitioner prays for liberty to approach the learned First Appellate Court by filing an appropriate application for vacating the interim order.

In the light of the submission made by the learned advocate appearing for the petitioner, CO 1978 of 2025 stands disposed of by giving liberty to the petitioner to file an appropriate application in Misc. Appeal No. 79 of 2025. If such an application is filed, the learned Judge of the First Appellate Court is requested to consider the same and dispose it of by passing a reasoned order strictly in accordance with law as expeditiously as possible, preferably within a period of eight weeks from the next date fixed, without granting any unnecessary adjournment to either of the parties.

(Hiranmay Bhattacharyya, J.)