

25.8.2025
SI No.31
Court No.16
SB

F.M.A. 1390 of 2025
CAN 1 of 2025

Debraj Patra
Vs.
Manabendra Nath Patra & Ors.

Mr. Biswaroop Bhattacharya
Mr. Antarikhya Basu
Mr. Sounak Bhattacharya
Mr. Anujit Mukherjee
Mr. Sayan Mukherjee ... for the appellant.

Mr. Avishek Guha
Ms. Sonali Mukhopadhyay
Mr. Ishaan Saha
Mr. V. Verma ... for the respondents

1. We have heard the learned advocates for the parties.
2. The defendant no. 1 is the appellant. The defendant no.1 is aggrieved by the order of *status quo* passed by the learned Trial Court in a suit where the plaintiff has alleged that the parties should not be allowed to dilute their shares and / or interest in the business concern. The learned Trial Court after considering the relevant materials and hearing the learned counsel for the defendant-caveator has directed the parties to maintain *status quo* with regard to nature and character of the schedule property till the next date of hearing. The matter is fixed on 06.9.2025.
3. In our view the said order does not call for any interference at this stage.
4. Having regard to the submissions recorded in the order, moreover, it appears that the learned Trial Court has considered all the relevant factors while passing the ad interim order.

5. The defendant no. 1 shall file written objection to the said injunction application by 30.8.2025. Reply thereto, if any, be filed by 04.9.2025.
6. We request the learned Trial Court to hear out the application on 06.9.2025.
7. However, we make it clear that neither the impugned order nor the observation made by us in this order shall be influenced by the learned Trial Judge to decide the application on merits.
8. The appeal and the application are disposed of.

(Soumen Sen, J.)

(Biswaroop Chowdhury, J.)