

21.11.2025
Ct. No. 30
SL No. **31**
MKP

CO 3003 of 2022

MD. Hanif

Vs.

Muslim Mondal And Ors

Mr. Nirbanesh Chatterjee

Mr. Anjan Banerjee

.....for the Petitioner

Mr. Md. Sabir Ahmed

Mr. Md. Abdur Rakib

Mr. Mejahid Mehedi

.....for the Respondents

- 1.** The revisional application has been preferred being aggrieved by order no.11 dated 24.08.2022 passed by the Learned Additional District Judge, 1st Court, Hooghly at Chinsurah in Misc. Appeal No.16/2021 (Md. Hanif Vs. Muslim Mondal & Ors.) affirming the order dated 17.03.2021 in T.S.No.268 of 2019 passed by Learned Civil Judge (Jr. Divn.) 2nd Court, Chinsurah, Hooghly, wherein the Court was pleased to reject the plaintiff/petitioner's petition under Order 39 Rule 1 & 2 C.P.C and vacate the interim order granted.
- 2.** Vide order under challenge the Appellate Court being the Learned Additional District Court,

Hooghly at Chinsurah, was pleased the affirm order no.20 dated 17th March 2021, passed by the Civil Judge, Junior Division, 2nd Court in Title Suit no. 268 of 2019.

3. Learned Counsel for the petitioner submits that the petitioner has right, title and interest in the suit property on the basis of an oral Hibanama.
4. Admittedly, he is not in possession. On the other hand the Learned Counsel for the opposite parties/defendants have a registered deed of gift in their favour and also the records of rights.
5. Learned Counsel for the petitioner prays for an order of status quo.
6. Considering the nature of issue in dispute and the materials on record, this Court is not inclined to interfere with the order under challenge and directs the Trial Court to make all endeavour to dispose of the suit, expeditiously preferably within a year from the communication of this order.
7. The Civil Revision having no merit, stands **dismissed.**
8. Applications, if any, connected thereto stand dismissed of consequently.

- 9.** Interim order, if any, stands vacated.
- 10.** Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]