

**Title Appeal No. 19 of 2023**

**Sri. Tarak Dey .....Appellant**

**vs.**

**Smt. Arati Mukherjee & 2 ors. ....Respondents**

**Order No. 02 dated 11.04.2023**

The record is put up today on prayer.

It is a title appeal arising out of a judgment wherein the Ld. Court below dismissed the Title Suit of the present appellant.

Ld. Advocate on behalf of the appellant having filed an application under O.XXXIX, R.1 and 2 of the C.P.C prays for an interim order.

Heard Ld. Advocate on behalf of the appellant.

Perused the documents filed by firstly at the time of hearing.

Issue notice upon the respondents calling upon them to show cause within seven days of the receipt of this order as to why the appellant's prayer for temporary injunction shall not be allowed.

It appears that one of the reliefs prayed for in the original title suit is a direction to pay a certain amount to the present appellant and this is the main prayer of the present appellant/plaintiff. Having regard to the prayer, it appears that if injunction is refused, appellant may suffer loss but the same be compensated by money. So, it is not the case of suffering of irreparable loss. This court also does not find any urgency to pass an interim order against the respondent no. 1.

Hence, the prayer for interim order is refused at this stage.

To date.

D/C by me.

Sd/-

D.J.

Sd/- (Abhijit Som)

District Judge , Hooghly