

**Title Appeal 63 of 2018**

**Order No. 30 dated 16.04.2024**

Both parties file respective haziras. .

Today is fixed for hearing of the appeal along with stay petition as special chance. At this stage Ld. Advocate for the appellant by filing a petition submitted that by order dated 03.01.2024 this Court directed the hearing of the appeal to be conducted along with stay application and no stay order has been granted, as a result of which Ld. Trial Court is proceeding in terms of the decree impugned and there is every chance that the same would be given effect to by the Ld. Trial Judge pending the instant appeal and challenging such order dated 03.01.2024 he wants to move the Hon'ble High Court, Calcutta. Therefore, he prays some time.

Ld. Advocate for the respondent submitted that the decree is for partition in preliminary form and the Ld. Trial Court is indeed proceeding for final decree.

Considered.

Since the appeal is pending, the Court is of the view that for a very limited period further proceeding before the Ld. Trial Judge in respect of Title Suit No. 190 of 2013 should be stayed and nobody would be prejudiced if the appeal is heard finally on the next date.

Fix **23.04.2024** for hearing of the appeal. Parties must come ready on the date fixed.

Let a copy of this order be forwarded to the Ld. Trial Judge at once.

Dict. & Corrected by me

D.J.

District Judge, Hooghly