

Title Appeal 65 of 2025
CNR No. WBHW01-002362-2025
Present : Sri Plaban Mukherjee (J.O Code : WB01427)

Order No.07.

Dated : 25.09.2025

Today, the date is fixed for hearing of the petition under Order XXXIX Rule 1 and 2 read with Section 151 C.P.C.

LCR has not yet been received by this Court.

The appellant is present by filing hazira and also files affidavit in reply against the objection, filed by the respondent against the application under Order XXXIX Rule 1 and 2 read with Section 151 C.P.C. Copy served. Let the same be kept with the case record.

At this stage, Ld. Advocate for the respondents files a petition praying for time for allowing them to file rejoinder against the affidavit-in-reply of the appellant.

At this stage, Ld. Advocate for the appellant submits that there is every possibility of changing the nature and character of the suit property, mentioned in Schedule – ‘B’ of the plaint in the ensuing puja vacation and accordingly, he prays for passing an interim injunction order till hearing of the application under Order XXXIX Rule 1 and 2 read with Section 151 C.P.C.

Ld. Advocate for the respondents raised no objection.

Perused the copy of plaint and the written statement, supplied by the present appellant.

In view of the above, the parties to the appeal are directed to maintain status quo with regard to the nature and character of the property, mentioned in the Schedule – ‘B’ of the plaint till the next date.

Fix 15/01/2026 for filing of rejoinder and for LCR.

Dictated & Corrected by me.

Addl. District Judge, 1st Court, Howrah

ADJ, 1st Court, Howrah