

Title Appeal 12/2023

Present: Arun Kiran Bandyopadhyay (J.O.No.WB00637)
District Judge,
Alipurduar.

Order no. 4,
dt. 24.07.23,

Ld. Lawyer for the Appellants is present with hazira.

Application for stay of operation of the impugned judgement and decree dated 19.05.2023 is taken up for hearing.

Heard learned Lawyer for the appellants. Perused the materials on record. Considered.

The present Appeal, being against a decree for eviction and recovery of khas possession, it has correctly been agitated by learned Lawyer for the appellants that if the operation of the impugned judgement and decree is not stayed then irreparable loss and injury would be caused to the appellants. Once the Title Appeal has been admitted, if operation of the judgement and decree is not stayed then the instant Title Appeal would be infructuous.

Accordingly, considering all facts and circumstances, petition praying for stay is allowed.

The operation of the impugned judgement and decree dated 19.05.2023 passed by learned Civil Judge (Junior Division), Alipurduar in Title Suit No.604/2015 is hereby stayed till disposal of this Title Appeal.

Call for LCR.

Send a copy of this order to learned Civil Judge (Junior Division), Alipurduar for information and taking necessary action.

Issue notice to the Respondents by Court process as well as through Registered Post.

Requisites be put in at once.

Issue notice, if requisites are put in.

To 21.08.23 for LCR and appearance of the parties.

Dictated & corrected
by me

District Judge,
Alipurduar.

District Judge,
Alipurduar.

OFFICE OF THE DISTRICT JUDGE,
ALIPURDUAR.

MEMO NO.

DATED

(Ref: Arising out of T.S.604/2015, Sri Bidya Das..Vs...Sri Khoka Mia and others)

Copy of order forwarded to:

*The Ld. Civil Judge(Jr. Division),
Alipurduar.*

DISTRICT JUDGE
ALIPURDUAR.

