

Misc Appeal no. 52 of 2025

Order No. 3 dated 24.09.2025

Ld. Advocate for the appellant is present.

From the report of the Process Server, it appears that the present respondent refused to accept the notice and accordingly, the instant matter is taken up for hearing *ex parte* against the present respondent.

I have perused the copy of the plaint as was furnished by the present appellants.

According to the appellant/plaintiff the respondent was inducted as a licensee for storing of their goods. On 08.06.2025 the present respondent started to take measurement of the suit property and they did not pay heed to any word of the present appellant and to restrain them from any such illegal occupation of the suit property the present appellant being the plaintiff prayed for *ad-interim* injunction.

Heard Ld. Advocate for the appellant.

Perused the documents relying upon which the suit was filed.

The record shows that in this case an opportunity was given to the respondent to place their submission but they refused to receive the notice as was sent to them from this court.

In my view, if the respondent be not restrained in any manner, the very purpose of filing of the instant Misc appeal will be frustrated.

To save the appellant from such, I think that both the appellant and respondent be directed to maintain *status quo* in respect of the suit property as it stands on this day till next date of hearing.

The appellant is directed to take proper step in this regard.

Fix **17.12.2025** for SR/ AD and appearance and hearing.

D/C by me

(Anirban Das)/WB00691
ADJ- 1st Court, Sealdah

(Anirban Das) WB-691,
Addl. District Judge,
1 Court, Sealdah