

FA 40 of 2011

**Sri Krishna Mandal & Anr.
Vs.
Srimati Mandal (Samati) & Ors.
(Santa Mandal since deceased)**

Mr. Tarak Nath Halder
Mr. Shamim Ul Bari

... For the Appellants.

1. Affidavit of service filed in Court today is taken on record. As per affidavit of service most of the respondents have been served. The respondents are not represented.
2. The postal endorsement in respect of one the respondents indicates that the respondent is deceased. The appellants may take steps in the matter.
3. In the first line of the sixth paragraph of the second page of the order dated 17th April, 2026, after the expression "Having regard to the above, let" the name "Chinmoy Mondal" shall be added.
4. In the first line of the twelfth paragraph of the second page of the order dated 17th April, 2026, the sentence indicating "CAN 3 of 2025 is, thus, disposed of" shall stand deleted. CAN 3 of 2025 shall be treated as pending.
5. The order of status quo already passed on 17th April, 2026 is modified directing that the possession of the appellants shall not be disturbed by the respondents and all parties are restrained from alienating, encumbering

and/or changing the nature and character of the suit property until disposal of the appeal.

6. Let the TCR be brought before this Court by a special messenger, costs whereof shall be put in by the appellants by tomorrow.

7. The appellants shall prepare informal paper books along with index duly paginated. The same shall be filed in Court on the adjourned date.

8. Let the paper books be filed within a period of four weeks after the ensuing summer vacation.

9. Let further notice be served on the respondents of availability of copies of the paper books with the advocate on record for the appellants.

10. List the matter in the first week of July, 2026.

11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)