

22 17.02.2023

Ct-08

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**SA 271 of 2014**  
with  
I.A No. CAN 8741 of 2011

**Md. Mofizuddin & Ors.**  
**Vs.**  
**Azimuddin & Ors.**

Mr. Suprobhat Bhattacharya  
Mr. Habibur Rahman  
... For the Appellants

Mr. Partha Sarathi Bhattacharyya  
Mr. Raju Bhattacharyya  
Mr. Arunava Maiti  
... For the Respondents no. 2 to 8

We have heard the learned counsel appearing  
for the parties.

This appeal will be heard on the following  
substantial questions of law :-

- I. Whether the first appellate court has substantially erred in reversing the judgment of the trial court on the ground that the reliefs claimed are barred by limitation ?***
- II. Whether the first appellate court has substantially erred in arriving at a finding that the amendment was carried out in the year 2007 with regard to the translation of the deed of sale when apparently there was a pleading of the invalidity of the deed of sale in the original pleading and only a prayer was made in support of the pleading?***

Call for the records; issue usual notices.

The appellants are directed to serve the application for injunction being CAN 8741 of 2011 upon the respondent nos. 2 to 8 within one week from date.

Let the matter be listed before the appropriate bench having determination.

The possession of the appellants may not be disturbed for a period of three weeks or until further order, whichever is earlier.

**(Uday Kumar, J.)**

**(Soumen Sen, J.)**

