

7th May,
2026
(AK)
57

F.A.T 18 of 2026
IA No: CAN 1 of 2025

Sri Arindam Roy and another
Vs.
Sri Sankar Roy and another

Mrs. Usha Maiti
Mr. Sakya Maity

...for the appellants.

1. Since questions of both fact and law are involved, the appeal is required to be heard on merits.
2. The parties shall maintain status quo as regards their respective possession in respect of the suit property in terms of the findings as to possession of the learned Trial Judge in the impugned judgment.
3. The parties shall also remain restrained by an order of injunction from creating any third party interest with regard to the suit property till disposal of the application.
4. The appellants shall serve copies of CAN 1 of 2026 on both the respondents, indicating that the application shall be listed for hearing in the monthly list of June, 2026.

5. The appellants shall file an affidavit-of-service to that effect on the returnable date.

(Sabyasachi Bhattacharyya, J.)

(Biswaroop Chowdhury, J.)