

06.05.2026
Ct. No.13
Sl. No.36
akd

F. A. 61 of 2022
(C. A. N. 2 of 2024)
(C. A. N. 3 of 2025)
(C. A. N. 4 of 2026)

[Sri Sukumar Paul @ Sukumar Pal -Vs- Uttam Pal & Ors.]

Md. Manuwar Ali
Ms. Nandita Kundu
... .. for the appellant

Mr. Biswajit De
... .. for the applicant
[in CAN 3 of 2025]

Mr. Bhagbat Chaudhuri
Mr. Subhajit De
... .. for the applicants
[in CAN 4 of 2026]

Re : C. A. N. 3 of 2025

1. CAN 3 of 2025 is an application filed by the applicant/respondent no.2 for vacating the interim order dated 03.04.2023 passed in the instant appeal.
2. It is submitted by the learned counsel for the applicant/respondent no.2 that the respondent no. 2 viz. Ranjit Pal @ Ranjit Kumar Pal had died on 04.07.2025.
3. Therefore, CAN 3 of 2025 has become infructuous and is hereby disposed of.

Re : C. A. N. 2 of 2024

4. CAN 2 of 2024 is an application filed by the appellant against giving effect to the sale of a portion of the suit property to one Pralay Mondal and Smt. Rinku Mondal comprising about 7.332 decimals of land within the Mouza – Chandrakona, Plot No. 479, Hal Dag No. 555 and another 4.37 decimals of land within the Mouza – Chandrakona, J. L. No. 103, Plot No. 475, Hal Dag No. 550, Khatian No. 6988.

5. Since sale has been effected prior to the passing of the interim order by the coordinate Bench, the same shall abide by the result of the instant appeal.

6. CAN 2 of 2024 is hereby disposed of.

Re : C. A. N. 4 of 2026

7. CAN 4 of 2026 is an application filed by the purchasers of those two deeds referred to hereinabove namely, Pralay Mondal and Smt. Rinku Mondal of the aforesaid two plots of land, for being added as party respondents to the instant proceeding.

8. Having regard to the pleadings in CAN 4 of 2026, the same is allowed.

9. Let Pralay Mondal and Smt. Rinku Mondal, whose addresses are mentioned in the cause title of CAN 4 of 2026, be added as party respondents to the instant proceeding.

10. Learned Advocate-on-record for the added respondents is directed to effect amendment in the cause title of the Memorandum of Appeal.

11. It is hereby ordered that there shall be a status quo in respect of the suit properties as on date to be maintained by all the parties. No part or portion of the suit properties shall be alienated, encumbered or otherwise dealt with by any of the parties or their heirs, representatives and assignees till disposal of the appeal. The appellant shall not disturb the possession of the added respondents until disposal of the appeal.

12. The appellant is directed to prepare informal paper books containing all pleadings and evidence in the trial court within four weeks from date. Let copies of the paper books be served upon the respondents.

13. For the aforesaid purpose, learned counsel for the appellant is granted liberty to inspect the trial court records that have arrived in court.

14. Liberty to mention for hearing after preparation of paper books.

15. CAN 4 of 2026 is accordingly, disposed of.

16. Affidavit-of-service filed by the learned counsel for the added respondents is taken on record.

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

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)