

D/L.34.
April 21, 2025.
MNS.

FMA No. 233 of 2025
+
CAN 1 of 2024

Sk. Usman
Vs.
Santosh Kumar Kahar and others

Ms. Salma S. Shah,
Ms. Soni Hossain

... for the appellant.

Re : CAN 1 of 2024(injunction application)

1. The affidavit-of-service filed in Court today be kept on record.
2. Despite service, none appears for the respondents at the time of call.
3. We do not find any change of circumstances from March 11, 2025, when we had granted an ad interim injunction upon being *prima facie* satisfied of a case having been made out for hearing the appeal on merits.
4. Accordingly, CAN 1 of 2024 is disposed of by restraining the respondents and their men and agents from changing the nature and character of the suit property in any manner and/or from selling, transferring, encumbering and/or creating any third party interest in respect of the suit property till disposal of the appeal.
5. There will be no order as to costs.

Re: FMA No. 233 of 2025

6. The appellant shall put in due requisites and postal costs for service of notice of the appeal on the respondents within a week from date.
7. In view of the short ambit of the appeal, we do not find any necessity for the trial court records to be called for.
8. The appellant shall prepare and file the requisite number of informal paper books, without comparing with the records, by incorporating all the relevant documents, within eight weeks from date.
9. Liberty to the parties to mention the appeal for inclusion in the list for hearing as and when the same is made ready for hearing.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)