

D/L.22.
May 6, 2025.
MNS.

FA No. 188 of 2024
+
CAN 1 of 2025

M/s. Shiv Narayan Ram Narayan Company
and another
Vs.
Krishna Kumar Mimani and others

Mr. Shubham Gupta,
Mr. Rajsekhar Bal Bakshi

... for the appellants.

Re : CAN 1 of 2025 (injunction application)

1. The present appeal has been preferred against the dismissal of the appellants' suit for declaration of their tenancy rights as well as for consequential relief of recovery of possession on the plea that the appellants were unlawfully dispossessed.
2. Since certain arguable questions have been made out in the Memorandum of Appeal, we are of the opinion that unless injunction, as prayed for, is granted and the property is not maintained *in statu quo* during the pendency of the application, the appellants might suffer irreparable injury and there would be unnecessary multiplicity of proceedings.
3. Accordingly, the respondents and/or their men and agents are restrained by an order of injunction from transferring, encumbering, alienating and/or parting with possession as well as from creating any third

party interest in any manner in respect of the suit property till disposal of the application.

4. The appellants shall serve copies of the application on the respondents, indicating that the application shall be listed for hearing on May 20, 2025, when an affidavit-of-service to that effect shall be filed by the appellants.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)