

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

IA No. GA-COM/4/2024
In CS-COM/738/2024

RAJA TARAFDAR AND ANOTHER
-VS-
SK. MD ASHRAF AND OTHERS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : December 20, 2024.

Appearance :

Mr. Rohit Banerjee, Adv.
Mr. Asif Sohail Tarafdar, Adv.
Ms. Fatima Hasan, Adv.
...for the plaintiffs

Mr. Munshi Ashiq Elahi, Adv.
Ms. Vedatri Bhattacharya, Adv.
...for the defendants

The Court: Mr. Rohit Banerjee, learned Advocate, is appearing for the plaintiffs.

Mr. Munshi Ashiq Elahi, learned Advocate, is appearing for the defendants.

The plaintiffs have filed the present application being GA-COM/4/2024 praying for extension/re-imposition of the original interim order passed by this Court on 30th July, 2024 which was subsequently extended from time to time and lastly till 10th December, 2024.

Counsel for the plaintiffs submits that due to inadvertence on 10th December, 2024, learned counsel for the plaintiffs could not make any submission for extension of the interim order. Accordingly, interim order

was not extended. Thus, the plaintiffs have filed the present application for extension/re-imposition of the interim order.

During hearing of the present application, it was informed by the learned counsel for the plaintiffs that the defendants had already initiated a suit before the Learned City Civil Court at Kolkata against the plaintiffs and in the said suit the defendants have obtained an order of injunction wherein the learned Court has passed an order directing the parties to maintain status quo.

Now the learned counsel for the plaintiffs submits that as the defendants have already obtained an order of status quo from the Learned City Civil Court with regard to the nature, character and possession of the property in question, thus, GA-COM/1/2024 wherein the plaintiffs have prayed for an interim order, the same can be disposed of by directing the parties to maintain status quo with regard to the nature, character and possession of the property till the disposal of the case so that the suit can be proceeded further.

Learned counsel for the defendants agrees that the defendants have obtained an order of status quo from the Learned City Civil Court, Kolkata and the defendants have no intention to create any third party interest over the suit property and submitted that if this Court will dispose of GA-COM/1/2024 by directing the parties to maintain status quo with regard to the nature, character and possession of the suit property, the defendants will not be prejudiced.

Though GA-COM/1/2024 is not listed in today's list but with the consent of both the parties, GA-COM/1/2024 is treated as on day's list and disposed of with the consent of both the parties by directing the

parties to maintain status quo with regard to the nature, character and possession of the suit property till the disposal of the suit.

In view of the above, GA-COM/1/2024 as well as GA-COM/4/2024 is disposed of.

(KRISHNA RAO, J.)