ITEM NO.35 COURT NO.3 SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).18554-18557/2012

(From the judgement and order dated 13/06/2012 in CO No.1492/2012,CO No.1493/2012,CO No.1494/2012,CO No.1495/2012 of The HIGH COURT OF CALCUTTA)

SARASWATI SEAL(DHALI) & ANR. Petitioner(s)

VERSUS

SUVAJIT BISWAS & ORS. Respondent(s)

(With prayer for interim relief)

Date: 25/06/2012 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE H.L. GOKHALE
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI
[VACATION BENCH]

For Petitioner(s) Mr. P.H. Parikh, Sr. Adv.
Mr. Ajay Sharma,Adv.
Ms. Papiya Mukherjee, Adv.
Ms. Neelam Sharma, Adv.

For Respondent(s) Mr. A.K. Ganguli, Sr. Adv.
Mr. Ranjit Basu, Adv.
Mr. Suman Kr. Dutta, Adv.
Mrs Sarla Chandra,Adv.

UPON hearing counsel the Court made the following
O R D E R

We have heard Mr. P.H. Parikh, learned senior counsel for the petitioners and Mr. A.K. Ganguli, learned senior counsel for the respondents.

Having gone through the record of the proceedings and

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the impugned orders, prima facie we are of the view that the impugned order is an equitable order.

Mr. A.K. Ganguli, learned senior counsel for the respondents points out that the petitioners had also sought protection of their share. He further points out that the entire share of the owners consisting of nine flats on the second floor has been blocked by the impugned order.

In our view, this is an equitable arrangement. We decline to interfere with the impugned order. The Special Leave Petition is, accordingly, dismissed. We make it clear that while deciding the matter, courts below shall not be swayed by away any observation made in the impugned order or in this order.

(Pardeep Kumar)
Court Master

(Renu Diwan)
Court Master