

24.09.2019
Court No.16
Sl. No. 9
GB

**FMAT 944 of 2019
With
CAN 9491 of 2019**

**Birendra Kumar Chopra & Anr.
Vs.
Tarun Kumar Das & Ors.**

Mr. Tilak Bose,
Mr. Rahul Karmakar,
Mr. Sagnik Majumdar,
Mr. Teeshan Das.

....for the Appellants.

Mr. Partha Pratim Roy,
Mr. Dyutiman Banerjee,
Mr. Satyam Mukherjee.

....for the Respondent no.1.

Several grounds have been urged by the appellant to question the propriety of the order impugned, including the passing of an order of injunction in a suit that was dismissed by the trial court.

Prima facie, the order impugned cannot be sustained and requires to be stayed. The matter has to be heard and for such purpose, the matter is adjourned till a fortnight after the vacation. The order impugned dated August 17, 2019 will remain stayed till the disposal of the appeal. The matter will be heard at the Order XLI Rule 11 stage by the available appropriate Bench after the vacation.

(Sanjib Banerjee, J.)

(Suvra Ghosh, J.)