

Present:
Mr. Justice Md. Shohrowardi
Civil Revision No. 5848 of 2024
Md. Solaiman....Petitioner
-Versus-
Md. Elias Mollik and others....Opposite parties
Mr. Md. Alamgir Hossen, Advocate
....For the petitioner
Mr. Md. Moshiul Alam, Advocate with
Mr. Md. Saiful Alam (Fuad), Advocate
....For the opposite parties
Heard on 07.05.2026, 12.05.2026, 07.06.2026 and 15.06.2026
Judgment delivered on 16.06.2026

On an application filed by the plaintiff-appellant-petitioner Rule was issued calling upon the opposite party Nos. 1 to 13 to show cause as to why the order dated 21.11.2024 passed by the District Judge, Barishal in Miscellaneous Appeal No. 108 of 2024 staying the operation of the order dated 12.09.2024 passed by the Assistant Judge, Ujirpur, Barishal in Title Suit No. 02 of 2024 allowing the application under Order 39 Rule 1 & 2 of the Code of Civil Procedure and directed the parties to maintain status quo in respect of possession and position of the suit property shall not be set aside and/or such other or further order or orders passed as to this Court may seem fit and proper.

Heard the learned Advocates of both parties, perused the revisional application and the records.

On perusal of the records, it appears that on the application of the plaintiff-petitioner, the Assistant Judge, Ujirpur, Barishal on 12.09.2024 passed an order of status quo restraining the parties from new construction in the suit land, against which, the defendant-opposite party Nos. 1 to 13 filed Miscellaneous Appeal No. 108 of 2024 and the appellate Court passed an order on 21.11.2024 staying the operation of the order dated 12.09.2024 passed by the Assistant Judge, Ujirpur, Barishal against which, the plaintiff-petitioner obtained the Rule and an order of stay.

It further reveals that by the impugned order No. 02 dated 21.11.2024, the appellate Court also issued notice upon the respondent Nos. 4 to 38 and fixed the next date on 15.01.2025 for service of notice upon the respondents. The revisional application has been filed by the plaintiff-petitioner against the ad-interim order passed by the appellate Court, and the appeal is now pending before the District Judge, Barishal. Since the matter is pending before the appellate Court, I am not inclined to pass any order considering the merit of the case. I am of the view that ends of justice would be best served if the appellate Court is directed to dispose of the Miscellaneous Appeal No. 108 of 2024 expeditiously.

The District Judge, Barishal, is directed to dispose of the Miscellaneous Appeal No. 108 of 2024 within 30(thirty) days from the date of receipt of this order without fail.

In the meantime, the parties are directed to maintain status quo in respect of possession and position of the suit land.

In the result, the Rule is disposed of.

However, there will be no order as to costs.