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Ct. 18
17.09.2021

**C.O. No. 1588 of 2021
(Via Video Conference)**

**M/s. Bharatiya Udyog represented by its Prop.
Satish Kumar Agarwal**

Vs.

**The Calcutta Builders Stores Ltd., represented
by its Directors Jayanta Mukherjee**

Mr. Dulal Dey

... For the petitioner.

The order of injunction passed by the 2nd Court of learned Civil Judge, (Junior Division) at Howrah in Title Suit No. 520 of 2021 dated April 27, 2021 is under challenge in the present application under Article 227 of the Constitution of India.

The application is entirely misconceived inasmuch as an appeal from the said order is provided under Order XLIII Rule 1(r) of the Code of Civil Procedure.

C.O. 1588 of 2021 is dismissed as not maintainable without any order as to costs.

Leave is granted to the learned advocate for the petitioner to take back the certified copy of the order under challenge upon furnishing a photocopy thereof.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)

