

19.06.2024
(M/L-98)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 731 of 2024

Sulekha Mondal & Anr.

-Vs-

Rejendra Prasad Shaw & Ors.

Mr. K. D. Poddar,

Mr. Subir Sabud,

... For the Petitioners.

The learned Trial Judge by the order impugned has revived an ad interim order of injunction.

The application on which the order impugned was passed though has been captioned under Section 151 read with Section 148 of the Code of Civil Procedure, nonetheless the said order is an order under Order XXXIX Rules 1 and 2 of the Code, as such, open to appeal under Order XLIII Rule 1(r) of the Code, the revisional application is therefore not maintainable; C.O.731 of 2024 is dismissed as such 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 impugned upon furnishing photocopy thereof.

It is made clear that this order will not prevent the petitioners to challenge the order impugned before the appropriate forum in accordance with law.

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.)