

S/L 19
06.8.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 2796 of 2024

M/s. S.R. Construction
Vs.
Sanjoy Bhowmick & Anr.

Mr. Tarak Nath Halder

...for the Petitioner.

Mr. Arka Pratim Chowdhury
Ms. Dona Ghosh

...for the Opposite Parties.

The defendant in a suit for declaration of title is the petitioner of the instant application under Article 227 of the Constitution of India.

The prayer of the plaintiffs, the opposite parties herein for an *ad interim* order of injunction was refused by the learned Trial Judge; aggrieved thereby, the plaintiffs have preferred the connected *Misc. Appeal No.79 of 2024* pending before the learned District Judge at Barasat, District: 24 Parganas (North).

The petitioner has challenged two orders passed in the said appeal dated July 02, 2024 and July 11, 2024.

The appeal was admitted by the first order impugned, and by the second order impugned, the appeal Court below has passed an *ad interim* order of injunction.

The petitioner has entered appearance in the said appeal and has challenged the maintainability of it on the ground that the 2nd Court of Civil Judge (Senior Division) at Barasat, District: 24 Parganas (North) does not have the pecuniary jurisdiction to entertain a suit, value of which is Rs.300/-.

The said challenge since is pending consideration before the appeal Court, this Court is not inclined to interfere with the orders impugned.

CO 2796 of 2024 is thus disposed of without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Biswajit Basu, J.)