

*In The High Court At Calcutta  
Civil Revisional Jurisdiction  
(Appellate Side)*

**C.O. 2843 of 2024**

**Kaushalya Township Private Limited, represented by its  
authorized signatory Mr. Ananta Sinha & Ors.**

**Vs.**

**Radiant EPC Private Limited, represented by one of its  
Director Shaikh Nesbhar Mamtazul Alam alias  
S. N. Mamtazul Alam & Anr.**

Mr. Probal Mukherjee, Sr. Adv.,  
Mr. Sidharth Banerjee,  
Mr. Sudip Sur,  
Mr. Dipankar Saha,  
Mr. Anirban Das,  
Mr. Subham Das ... For the petitioners.

Mr. Saktinath Mukherjee, Sr. Adv., (VC)  
Mr. Saptangsu Basu, Sr. Adv.,  
Mr. Kallol Mondal,  
Mr. Srijib Chakraborty,  
Mr. Sourya Mukherjee ... For the opposite parties.

The petitioners of the instant application under Article 227 of the Constitution of India are the plaintiffs in a suit for declaration and other consequential reliefs.

The said suit being *Title Suit No. 554 of 2024* is pending before the 1<sup>st</sup> Court of learned Civil Judge, (Junior Division) at Barasat, District: 24 Parganas (North).

The learned Trial Judge on the application of the plaintiffs under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure had passed an *ad interim* order of injunction vide order dated May 14, 2024, thereby directing the parties to maintain *status quo* in respect of the suit property till June 19, 2024.

The defendants, the opposite parties herein assailed the said order in the *Miscellaneous Appeal No. 71 of 2024*.

The 8<sup>th</sup> Court of learned Additional District Judge at Barasat, District: 24 Parganas (North) by the order impugned dated July 29, 2024 has allowed the said appeal, thereby setting aside the said *ad interim* order of injunction holding that the *status quo*, without indicating what the *status quo* is, is in violation of the judicial principle enunciated by the Hon'ble Supreme Court in the case of ***KISHORE KUMAR KHAITAN AND ANOTHER Vs. PRAVEEN KUMAR SINGH***, reported in ***(2006) 3 SCC 312***.

This Court does not find any reason to interfere with the order impugned.

However, justice would be sub-served if the pending application for injunction is disposed of in accordance with law.

Mr. Saktinath Mukherjee, learned senior counsel for the opposite parties appears virtually and submits that August 29, 2024 is the next date fixed in the suit.

The petitioners are directed to affirm their written objection **within seven days** from date; reply thereto, if any, be affirmed by the defendants **within three days** from the date of receipt of copy of such written objection.

The learned Trial Judge is requested to take up the hearing of the said injunction application on the date already fixed and make all endeavour to dispose it of as expeditiously as possible, in accordance with law and in doing so, shall not grant any unnecessary adjournment to either of the parties.

C.O. 2843 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 copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

**(Biswajit Basu, J.)**