

16.04.2024
Sl. No.26
Ct. 19
sayandeep

CO 4207 of 2023
Lord Sri sri Narayan Jew
Vs.
Biju @ Bijoy Mitra & ors.

Mr. Gopal Chandra Ghosh
Ms. Sunandana Saha

...for the plaintiff

1. This Court does not find any necessity to interfere with the order dated October 13, 2023 passed by the learned Civil Judge (Senior Division), 2nd Court Chinsurah at Hooghly.
2. It is submitted that the allegation of fixation of padlock and prayer for removal of the same have already been taken care of in another proceeding.
3. The only issue now urged by Mr. Ghosh is that learned Court had made observations on the merits of the suit while disposing of the application under Section 151 of the Code of Civil Procedure. In my view, the said observations were made to justify rejection of the application under Section 151 of the Code of Civil Procedure and for the purpose of the disposal of the same.
4. The observations in an interlocutory application are tentative and are neither binding on the learned Court while disposing of the suit and connected applications.

5. The injunction application and the suit will be disposed of on their own merits and on the documents/evidence as the case may be.
6. Thus, the revisional application is disposed of without any interference with the order impugned.
7. Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)