

AD-09
Ct No.16
24.11.2025
TN

SAT 9 of 2024
IA No: CAN 1 of 2024
CAN 2 of 2024

Imran Ali Sarkar
Vs.
Saktab Hossain and another

Mr. Subir Banerjee,
Ms. Sudeshna Maji

.....for the appellant

1. The present appeal has been preferred against an order of the appellate court staying the operation of an injunction order passed by the trial court. Since no second appeal under Order XLIII is available under the Code of Civil Procedure and in view of the order of stay of operation of an injunction order is otherwise not appealable, SAT 9 of 2024 along with CAN 1 of 2024 and CAN 2 of 2024 are dismissed as not maintainable, with liberty to the appellant to prefer an properly constituted challenge before appropriate Court/Bench against the self-same order.
2. Leave is granted to the learned Advocate-on-record for the appellant to take back the certified copy of the impugned order for such purpose, upon furnishing a photocopy thereof in the department.
3. There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)