

23. 19.08.2025
Court No.16.

(Pritam)

**FMAT 139 of 2025
with
CAN 1 of 2025.**

**Biman Banerjee & Ors.
-Vs.-
Tushar Kanti Banerjee & Ors.**

Mr. Nirmalya Dasgupta,
Ms. Somali Mukhopadhyay.

.....for the appellants.

Mr. Apurba Kumar Ghosh,
Mr. Asis Kumar Dutta.

...for the respondent no.1.

1. Heard learned counsels for the parties.
2. Instead of service, the respondent nos.2 and 3 are not represented.
3. Mr. Apurba Kumar Ghosh, learned counsel appears for the respondent no.1.
4. In view of the fact that the injunction application is still pending, we dispose of the appeal by confirming the order of May 6, 2025. We also make it clear that the observations made in the said order are only tentative and shall not influence the learned trial court while deciding the application for injunction on merits.
5. Since no affidavit-in-opposition is called for, all the allegations made in the petition is deemed to have been denied.

6. The interim order passed on May 6, 2025 shall continue till the disposal of the injunction application pending before the learned trial court.
7. The Appeal being FMAT 139 of 2025 along with connected application is disposed of accordingly.

(Soumen Sen, J.)

(Apurba Sinha Ray, J.)