

03.09.2025
SL No.12
Court No.16
(gc)

**FMA 1095 of 2025
CAN 1 of 2025**

**Manoj Mondal
Vs.
Dipak Kumar Paul & Ors.**

Mr. Abhilash Chatterjee
...for the Appellant.

1. The affidavit-of-service filed in Court today is taken on record.
2. In view of the fact that service has been effected upon the respondent no.1 who appears to be principal defendant, report with regard to the service of notice upon the other respondents for the time being is ignored.
3. In spite of notice, the respondent no.1 is not represented.
4. We confirm the interim order dated 20th August, 2025.
5. We direct the learned Trial Court to decide the injunction application on merits after giving a reasonable opportunity of hearing to the parties.
6. In deciding the injunction application, the learned Trial Court shall not be influenced by any observation made in this order.
7. The ad-interim order passed on 20th August, 2025 shall continue till the disposal of the injunction application.

8. Accordingly, the appeal and the application are disposed of.
9. However, there shall be no order as to costs.
10. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Soumen Sen, J.)

(Apurba Sinha Ray, J.)