

Item-
25. 22-09-2025

**FMAT 343 of 2025
CAN 1 of 2025**

sg Ct. 1

Prafulla Dhara & Ors.
Versus
Tuktuki Dhara & Ors.

Mr. Debdipto Banerjee
Mr. Soumen Banerjee

...for the respondent no.1

1. The appellants are not represented nor any accommodation is prayed for on behalf of the appellants.
2. In view of the fact that the matter is fixed before the learned Trial Court on 26th September, 2025, we are not inclined to interfere with the order passed by the learned Trial Judge.
3. Moreover, prima facie, it appears that the learned Trial Court was not satisfied with regard to the title of the predecessors of the plaintiff at the time of considering the ad interim prayer for injunction.
4. We make it clear that we have not gone into the merits of the matter. The learned Trial Judge shall decide the matter without being influenced by any observation made by us in this order.
5. The appeal and the application are, accordingly, disposed of.
6. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Soumen Sen, C.J. (Acting)]

(Apurba Sinha Ray, J.)