

D/L- 27  
27/08/2025  
Ct. No.-6  
Aritra

**C.O. 3139 of 2025**

**Samarendranath Paul & Ors.  
Vs.  
Rabindranath Rishidas & Ors.**

Mr. Uday Sankar Chattopadhyay  
Ms. Rajashree Tah  
Ms. Aishwarya Datta

....for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the plaintiffs and is directed against an order being No.3 dated March 17, 2021 passed by the learned Civil Judge (Jr. Div.), 2<sup>nd</sup> Court at Barasat, District-North 24-Parganas in IA No.2 of 2021 and IA No.3 of 2021 in Title Suit No.191 of 2021.

By the order impugned the application praying for police help for implementation of the ad interim order of injunction stood rejected.

The learned trial judge after taking note of the well-settled proposition of law that the prayer for police help for implementation of an ad interim order of injunction cannot be allowed without hearing the other side rejected such application. Learned trial judge further held that the ad-interim order of injunction is ambiguous. After going through the ad-interim order of injunction, this Court is of the considered view that the impugned order does not suffer from any infirmity warranting interference under Article 227 of the Constitution of India.

At this stage Mr. Chattopadhyay, learned advocate for the petitioner submits that in the meantime the application under Order 39 Rule 1 and 2 of the Code of Civil Procedure has been disposed of and an order of temporary injunction has been passed in favour of the petitioner.

If that be so, the petitioner will be at liberty to take appropriate steps in accordance with law.

With the above observations and directions, CO 3139 of 2025 stands disposed of.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

***(Hiranmay Bhattacharyya, J.)***