

08.12.2025
M/L No.63
Court No.6
(gc)

CO 3202 of 2025

**Abdul Kalam Sk. @ Abdul Kalam Mondal
Vs.
Absar Mondal & Anr.**

Mr. Lutful Haque,
Mr. Moniruzzaman,
Ms. Taharima Khatun
...for the Petitioner.

1. This Court does not deem it necessary to interfere with the order dated April 10, 2025. The same is an appealable order.
2. The defendant was restrained from disturbing the peaceful possession of the plaintiffs in respect of the suit property. Although the defendant prayed for an order allowing the defendant to remove the submersible pump from the suit plot, such prayer was not granted. Thus, the remedy of the defendant would be to challenge the order by way of a misc. appeal. It is the contention of defendant that the plaintiffs had admitted that the submersible pump installed in the suit plot belongs to the defendant. On such averment, the defendant had prayed for an order before the learned Trial Court during the hearing of the injunction application that the defendant may be allowed to remove the said submersible pump.

No order to that effect was passed. This point is open to the defendant to be raised by way of a misc. appeal by challenging the order dated April 10, 2025. The defendant can also pray for modification of the order.

3. The revisional application is, accordingly, disposed of.
4. There shall be no order as to costs.
5. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)