

03.09.2025
Item No.16
Ct. No.26
CHC

CPAN 1520 of 2025

**Devavrat Builders Private Limited
Vs.
Woodburn Owners' Association & Ors.**

Mr. Piyush Agarwal, Advocate
Ms. Shivangi Thard, Advocate
...for the petitioner

Mr. Siddhartha Banerjee, Advocate
Ms. Debjani Sengupta, Advocate
Mr. Rajib Mullick, Advocate
Ms. Shirsha Chakraborty, Advocate
Ms. Ayantika Saha, Advocate
...for the alleged contemnors

1. Petitioner complains of violation of the order dated August 18, 2025 passed by the Learned Judge, Commercial Court at Alipore in T.S. (COM) 19 of 2025.
2. The order dated August 18, 2025, violation of which is complained of, granted injunction in terms of prayers (a) and (c) of the injunction petition. Order was passed *ex parte*.
3. Court is informed that, there is an application under Order XXXIX Rule 41 of the Code of Civil Procedure, 1908 pending at the behest of the alleged contemnors.
4. At this stage, since the order is yet to attain finality, we are not minded to invoke the provisions of the Contempt of Courts Act, 1971 or Article 215 of the Constitution of India.

5. Petitioner before us is not remediless. Petitioner can avail of the remedies under Order 39 Rule 2A of the Code of Civil Procedure, 1908 if so advised.
6. CPAN 1520 of 2025 is **disposed of** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)