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22-09-2025
(Ct. no.37)
debajyoti
(Bench ID
266311)

FMA 1540 of 2025

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IA NO:CAN/1/2025

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CAN/2/2025

Mohunlal Club & Anr.

.... Appellants.

Vs.

Cricket Association of Bengal

.... Respondent.

Mr. Surojit Nath Mitra, Sr. Adv.,
Mr. Aniruddha Chatterjee, Sr. Adv.,
Mr. Siddhartha Sharma,
Mr. Rudranil Mitra,
Mr. Souradipta Banerjee,
Mr. Rishav Dutt,
Ms. Megha De,
Ms. Aparupa Halder,

... For the Appellants.

Mr. Samrat Sen, Sr. Adv.,
Mr. Paritosh Sinha,
Mr. Amitava Mitra,
Ms. Manali Bose,
Mr. Naman Agarwal

... For the Respondent.

Mr. D. R. Mukherjee,
Mr. Arijit Dey

... For the Applicant in
CAN/2/2025.

Dictated by Arijit Banerjee, J.

1. This appeal is directed against an order dated August 26, 2025, passed by the learned Judge, Bench-VI, City Civil Court at Calcutta, in Title Suit No.1851 of 2025 filed by the appellants herein.

2. The appellant no.2 claims to be the Hony. General Secretary of the first appellant club. The dispute which has led to the filing of the present proceedings, appears to be amongst members of Mohunlal Club.

3. The present suit has been filed claiming the following reliefs:

“a) Leave under Order I Rule 8 of the Code of Civil Procedure, 1908;

b) Leave under Order II Rule 2 of the Code of Civil Procedure, 1908;

c) A decree for permanent injunction thereby restraining Defendant its men, agents, staffs and associates from permitting any other person other than Debabrata Paul Hony. General Secretary of Mohunlal Club as the authorized person to represent to register players on behalf of Mohunlal Club for the CAB Cricket Season 2025-2026;

d) A decree for declaration that the defendant be directed to hand over the cheque for Special Development Grant for the cricket season 2024-2025 and 2025-2026 as per CAB communications dated 9th June 2025 bearing ref. No.118/71/3011/2025, 118/71/3012/2025, 118/71/3013/2025, 118/71/3014/2025 and letter dated 5th August, 2025 bearing reference no.118/76/3704/2025, and 118/76/3708/2025.

e) A decree for permanent injunction thereby restraining defendant from permitting any other person other than Debabrata Paul Hony. General Secretary of Mohunlal Club as the authorized person to correspond and receive all communications, notices from the Cricket Association of Bengal and to correspond on behalf of Mohunlal Club and collect all the grant and privileges meant for Mohunlal Club for the CAB Cricket Season 2025-2026.

f) A decree for permanent injunction thereby restraining defendant, the sole defendant from its men, agents, staffs and associates from communicating with the Plaintiffs at any other address other than the present registered office of the Plaintiff No.1 situated at 40, Gouri Bari Lane, Police Station - Maniktala, Kolkata - 700 004;

g) A decree for declaration that Mr. Kajal Kumar Dey (Adhaar No.-3660 8933

3630) is the authorized person to represent Mohunlal Club in the 94th Annual General Meeting of The Cricket Association of Bengal to be held on 20th September, 2025;

h) Injunction;

i) Costs;

j) Advocate's fees;

k) Receiver;

Such other relief or reliefs as the plaintiff is entitled to both under law and in equity."

4. In the suit, the appellants herein filed an application praying for the following interlocutory orders:

" (a) Issue an order of temporary injunction thereby restraining the Respondent, its men, agent staff and associate from allowing any other person other than the Petitioner No.2 and/or his authorized representative to represent the Petitioner No.1 in any meetings conducted by the Respondent as also to direct the Respondent and/or their men, agents, associates, servants, employees etc. to make all communications with the Petitioner No.1 at its registered office situated at 40 Gouri Bari Lane, Kolkata-700004 and at the email id of the Petitioners namely: mohunlalclubcric@gmail.com, till disposal of the aforesaid suit;

(b) Ad interim order in terms of the prayer as above;

(c) Such further order and/or other orders as Your Honour may deem fit and proper. "

5. By the impugned order, the learned Judge directed notice to be served on the defendant in the suit, being the respondent herein. The matter has been made returnable on October 28, 2025.

6. Since the matter is pending before the learned trial Judge and the learned Judge has not yet decided the prayer of the plaintiffs for interlocutory orders, we

are not inclined to go into the merits of the case. We, accordingly, do not entertain this appeal. We request the learned trial Judge to decide the injunction application filed by the plaintiffs expeditiously, without granting unnecessary adjournments to either of the parties.

7. The respondent herein would be at liberty to file its written objection to the injunction application by October 27, 2025. We have already noted that the learned trial Judge has kept the matter on October 28, 2025.

8. The appeal and the connected applications are, accordingly, disposed of.

9. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

10. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Om Narayan Rai, J.) (Arijit Banerjee, J.)