

19.09.2025
Item No.35
PG
Ct. No.6

C.O. 3501 of 2025

Sk. Habibur Rahaman & & Ors.
vs.
Bibi Ajgun & Anr.

Mr. Sk. Monuddin..... for the petitioners

1. This application under Article 227 of the Constitution of India is at the instance of the plaintiffs directed against an order dated 14th August, 2025 passed by the learned Civil Judge (Senior Division), Chanchal, Malda in Partition Suit No. 18 of 2024. By the order impugned, the application filed by the petitioners alleging violation of the order of injunction stood rejected.
2. The learned trial Judge observed that it was open to the petitioners to take appropriate steps as provided under the Code against the defendants in case of any violation of the order of injunction.
3. The order impugned do not suffer from any infirmity warranting interference under Article 227 of the Constitution of India.
4. Accordingly, C.O. 3501 of 2025 stands disposed of leaving the petitioners free to take appropriate steps in accordance with law, if the petitioners feel that the order of injunction has been violated by the defendants.

5. In case the petitioners take appropriate steps, as provided under the Code of Civil Procedure, the learned trial Judge shall consider the same in accordance with law uninfluenced with the observations made in the impugned order as well as the observations made in this order.
6. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)