

12.11.2025
Item No.2
Ct. No.37
CHC
(Bench ID 266362)

FMAT-IPD/3/2025
IA NO: CAN/1/2025

Anirban Das
Vs.
Bapi Das

Mr. Debnath Ghosh, Senior Advocate
Mr. Sarosij Dasgupta, Advocate
Mr. Gautam Kumar Ray, Advocate
Mr. Gopal Das, Advocate
Mr. T. K. Jana, Advocate
Mr. Sourav Jana, Advocate
Mr. Biswaroop Mukherjee, Advocate
...for the appellant

Mr. Sayantan Basu, Senior Advocate
Mr. K. Kashyap, Advocate
Ms. Sagarika Dhar, Advocate
Mr. D. Bhattacharlya, Advocate
...for the respondent

1. Appeal is at the behest of the defendant against an *ex parte* ad interim order of injunction dated September 22, 2025, passed by the learned Judge, Commercial Court, at Rajarhat, North 24 Parganas.
2. The impugned order was passed on September 22, 2025. Learned Judge, considered the materials placed on record. Learned Judge expressed view that, a *prima facie* case with regard to passing off made out by the plaintiff and granted an *ex parte* ad interim order of injunction. The injunction petition was made returnable on November 1, 2025.
3. We enquired from the learned Advocates for the parties that, whether, written objection was filed by the appellant or not.

4. We are informed that, on November 1, 2025, being the returnable date of the injunction petition, the appellant and the defendant appeared before the learned Court and sought time to file its written objection.
5. It appears that, the disputes inter se are between the two family members. They are related as father and son.
6. We are not minded to interfere at the ad interim stage, as impugned order cannot be said to be perverse.
7. We keep all points raised by the parties open.
8. FMAT-IPD/3/2025 along with connected application are disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)