

CO 4040 of 2024

**Sk. Nur Mohammad
VS.
S. K. Kena and Ors.**

Mr. Benazir Shaikh
...for the petitioner

The present revisional application has been preferred against an order dated 26.09.2024 passed in Title Suit No. 1038 of 2024 by the learned Civil Judge (Senior Division), 7th Court, Alipore. By the order under revision, the Trial Court was pleased to reject the petitioner/plaintiff's prayer for *ad interim* injunction.

Learned counsel for the opposite parties submits that as per Order 43 Rule 1(r) CPC, an appeal lies against such an order and as such, the revisional application is not maintainable.

Considering the nature of relief prayed for, service is dispensed with.

The revisional application is disposed of with the direction that the petitioner is at liberty to prefer an appeal as per the provisions of CPC before the appropriate forum within the period of limitation, which shall be counted from the date of this order.

CO 4040 of 2024 stands disposed of.

Let a copy of this order be sent to the learned Trial Court for expeditious disposal.

(Shampa Dutt (Paul), J.)