

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:
The Hon'ble Justice Debangsu Basak

C.O. 165 of 2025

**Mrinmoy Basunia
Vs.
Harendra Nath Roy & Anr.**

For the Petitioner : Mr. Jaydeep Kanta Bhowmick
Mr. Sayantan Bhowmick
Mr. Shubham Kumar
Ms. Sayantani Das

For the Opposite Party : Mr. Dipankar Sen
Ms. Tamanna Kar
Ms. Dilruba Yasmin

Heard & Judgment on : **November 19, 2025**

Debangsu Basak, J.:-

1. Revisional application is directed against Order No. 6 dated August 1, 2025 in Misc. Appeal No. 02, 2025 passed by the learned Additional Sessions Judge, Fast Track Court, Siliguri.
2. By the impugned order, learned Judge granted stay of the order dated February 18, 2025 against which the appeal was preferred.
3. The Order No. 6 dated August 1, 2025 impugned in this revisional application is non-speaking. It does not provide any reason as to why the stay was granted.

4. In a suit for declaration and injunction by the order dated February 18, 2025, learned Trial Judge was pleased to grant an order of injunction on contested hearing of the injunction petition. An appeal was preferred by the opposite party against such order of injunction which was registered as Misc. Appeal No. 2 of 2025 in which the impugned order was passed.
5. It is trite law that, a non-speaking order is a nullity. Reasons are the heartbeat of an order deciding the rights *inter se* between the parties. Reasons in the order allow the appellant or revisional authority to assess the requirement of the order being passed. Since the impugned order is not informed without any reason, the same is set aside.
6. The appeal may be heard on merits without being influenced by any of the observations made by this Court.
7. All pointes raised by the parties are kept open.
8. **C.O. NO. 165 of 2025** is disposed of without any order as to costs.

(Debangsu Basak, J.)

S.D.