

S/L 05
03.11.2025
Court No.1
(Susanta)

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CIVIL REVISIONAL JURISDICTION

CO 200 of 2025

Smt. Kulvinder Kaur Agarwala & Anr.
Vs.
Mariegold Industries Private Limited & Ors.

Mr. Sandip Mandal,
Mr. Amit Saha,

... for the Petitioners.

The instant application under Article 227 of the Constitution of India is directed against order No. 3 dated August 05, 2025 passed by the 1st Court of learned Additional District Judge at Siliguri, District- Darjeeling in Title Appeal No. 12 of 2025.

The petitioners had filed Title Suit No. 01 of 2025 before the learned Civil Judge (Junior Division) at Siliguri District- Darjeeling for decree of declaration and injunction. The plaint of the said suit was rejected on an application filed by the defendants under Order VII Rule 11 of the Code of Civil Procedure vide order dated March 27, 2025.

The plaintiffs, petitioners herein aggrieved by the said order have preferred the said Title Appeal No. 12 of 2025. The appeal Court below by the order impugned has refused to pass an ad interim order on an application for injunction filed by the petitioners in the said appeal.

The plaint of the suit since has been rejected, the appeal Court below has rightly refused to pass an ad interim order of injunction.

The order impugned, therefore, does not call for any interference. However, the appeal Court below is requested to dispose the pending application for injunction as expeditious as possible and in doing so shall not entertain the

prayer of the parties for any unnecessary adjournment.

C.O. 200 of 2025 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)