

04.02.2026
SL No.8
Court No.6
(gc)

CO 176 of 2026

**Bankim Chandra Bharati, Trustee,
Welfare for Indian Seamen Everywhere (WISE) & Anr.
Vs.
Board of Trustees of Welfare for
Indian Seamen Everywhere (WISE) & Ors.**

Mr. Arindam Banerjee, Sr. Adv.,
Ms. Arpita Saha,
Mr. Ashis Kr. Mukherjee,
Mr. Saurabh Prasad,
Ms. Subhasree Hazra

.....for the Petitioners.

Mr. Sounak Bhattacharya,
Mr. Sounak Mandal

...for the Opposite Party No.2.

Mr. Partha Pratim Roy,
Mr. Anubhav Khastogir,
Mr. Mainak Chandra

...for the Opposite Party No.4.

1. The revisional application arises out of an order dated January 5, 2026 passed by the learned Additional District Judge, 12th Court at Alipore in Misc. appeal No.386 of 2024. The misc. appeal arose out an order of refusal of ad-interim injunction by the learned Trial Court in Title Suit No.1793 of 2024. The Appellate Court was of the view that the prayer for ad-interim injunction should be refused as the petitioners did not come up with clean hands. Thus, the order has been challenged before this Court for necessary protection of the trust property. It is the specific allegation of the petitioners that the trust properties are in danger of

being wasted, damaged or alienated. It is further contended that in view of the dismissal of the misc. appeal, it is apprehended by the petitioners, one of whom is the settlor of the trust, that huge amount of money which is for the benefit of the trust shall be siphoned off.

2. Mr. Partha Pratim Roy and Mr. Sounak Bhattacharya, learned Advocates appear on behalf of the opposite parties. It is their specific contention that the persons, who are running the trust, are the trustees and the petitioners are trying to interfere with the day-to-day running of the trust. The petitioners are also restraining the trustees from paying salaries to their employees and office bearers. Thus, the learned Court rightly refused to pass any order of status quo.
3. I do not find that reasons have been assigned as to why the learned Court vacated the order of status quo which was passed earlier and dismissed the misc. appeal. This Court finds that the suit has been filed for declaration and permanent injunction allegedly against some persons who are not connected with the day-to-day administration of the trust property and who, according to the petitioners, are acting contrary to the welfare of the trust.

4. In my view, the trust properties should be protected till the application for injunction is heard by the learned Trial Judge.
5. Under such circumstances, status quo will be maintained on all the moveable and immoveable properties of the trust, till the disposal of the injunction application, except that, the expenses for the day-to-day running of the trust towards salaries and other overhead expenditures shall be borne from the funds of the trust. Accounts thereof shall be maintained. The same shall be provided to the petitioners and also to the learned trial Court on a monthly basis. With regard to the allegation that huge money has been siphoned off on a single date, this Court is of the view that this issue shall be raised by the petitioners before the learned Trial Judge and the learned Trial Judge shall dispose of the injunction application within a period of three months from the date of communication of this order.
6. It is made clear that salaries will be paid to only those employees who have a legitimate appointment letter from the trust, and the office bearers must have a legitimate document to justify their position while accepting any remuneration or payment. The trial court will also keep a check on such aspect.
7. This order will continue till the disposal of the injunction application.

8. Under such circumstances, the revisional application is disposed of.
9. There shall be no order as to costs.
10. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)