

AD – 21
Ct No.16
18.05.2026
(SSS)

FMAT 100 of 2026
with
CAN 1 of 2026

Mudaswar Mallik represented by his father
Serajul Mallik
Vs.
Jamiruddin Mallik

Mr. Mukteswar Maity,
Ms. Manika Sarkar
.....For the appellant.

1. The present appeal has been preferred against an order passed in a miscellaneous appeal, refusing to grant ad-interim injunction.
2. Since no second appeal is maintainable under Order XLIII of the Code of Civil Procedure, FMAT 100 of 2026 is dismissed as not maintainable.
3. CAN 1 of 2026 is consequentially disposed of as well.
4. There will be no order as to costs.
5. It is made clear that nothing in the above order shall prevent the appellant from taking appropriate recourse of law by filing a properly constituted challenge against the impugned order.

6. Liberty is granted to the learned advocate-on-record for the appellant to take back the certified copies of the impugned orders upon furnishing photocopies thereof for the records.

(Sabyasachi Bhattacharyya, J.)

(Biswaroop Chowdhury, J.)