

Item-  
4. 29-06-2026

**CO 1963 of 2026**

Manoj Kumar Modi  
Versus

sg Ct. 6

Sanjay Kumar Modi & Ors.

Mr. Debdutta Basu  
Mr. Soumalika Nandan  
Mr. Souvik Sen

...for the petitioner

By the order impugned, the application under Order 7 Rule 11 of the Code of Civil Procedure filed by the petitioner herein stood rejected.

Mr. Basu, learned Advocate appearing for the petitioner submits that the suit is barred under Section 34 of the Specific Relief Act as the plaintiff has not sought for declaration of title in spite of the fact that the title of the plaintiff is clouded.

After going through the plaint more specifically the reliefs claimed therein, this Court finds that the plaintiff/opposite has prayed for declaration of title and for permanent injunction. After going through the plaint, this Court is of the view that plaint discloses a cause of action.

Mr. Basu learned Advocate for the petitioner could not satisfy this Court that any of the grounds under Order 7 Rule 11 stands attracted to the case on hand. The learned Trial Judge has assigned cogent reason for rejecting the application under Order 7 Rule 11 of the Code of Civil Procedure. This Court does not find any reason to interfere with such order.

Accordingly, this civil revisional application stands dismissed. However, no order as to costs.

**(Hiranmay Bhattacharyya, J.)**