

25.02.2026
SL No.19
Court No.6
(gc)

CO 3222 of 2025

**Anil Sarkar & Ors.
Vs.
Smt. Tanushree Mondal & Ors.**

Mr. Anirban Das

.....for the Petitioners.

Mr. Joydeep Das

....for the Opposite Parties.

1. The petitioner is aggrieved by a judgment and order dated June 11, 2025 passed in Misc. Appeal No.159 of 2024 by the learned Additional District Judge, 8th Court, Barasat, North 24 Parganas.
2. The learned Court held that the order of the learned Trial Judge was self-contradictory and order of restraint upon the defendants from entering into the suit property as also from dispossessing the plaintiffs from the suit property till January 7, 2025 could not have been passed.
3. The court prima facie found that defendants claimed possession over 4 cottahs 28 sq.ft. of land situated within the suit property, by way of purchase. The learned Court although held that police investigation with regard to the purchase deed of the defendants was pending, the Court balanced equities between the parties and directed that the situation would become

irreversible if some protection was not given to preserve and protect the suit property.

4. Accordingly, an order of status quo was passed with regard to the nature, character and possession of the suit property, thereby, modifying the order of the learned Trial Judge. I do not find any illegality in the order impugned, as the learned Appellate Court has recorded that not only the plaintiffs have a claim over the property but the defendants claimed to have purchased part of the property. The court balanced equities.
5. The factual observations made in the Misc. Appeal are not relevant for the final disposal of the application for temporary injunction and shall not be taken into consideration.
6. The learned Trial Judge is requested to dispose of the application for injunction expeditiously, preferably within three months from the date of communication of this order.
7. No interference is called for.
8. Accordingly, 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.)