

23.02.2026
SL No.24
Court No.6
(gc)

CO 3230 of 2025

**Bhagyadhar Halder & Anr.
Vs.
Prasanto Halder & Ors.**

Mr. Mrinal Kanti Sardar,
Mr. Gautam Das,
Ms. Aparna Mondal

.....for the Petitioners.

Mr. Tanmay Chowdhury,
Ms. Ritoprita Ghosh,
Ms. Sulagna Sarkar

...for the Opposite Party Nos.1 to 4.

1. The revisional application is allowed.
2. The order impugned passed by the learned Civil Judge (Senior Division), Diamond Harbour, South 24-Parganas in Title Suit No.441 of 2012, is set aside. The learned Court erred in holding that, in view of the subsisting order of ad-interim injunction, the repair of the tin shed should not be allowed. The petitioners submit that the repair shall be exclusively restricted to the replacement of the frame of the roof of the shed and the tin and tiles on such roof. The shed is made of woven bamboo walls and the roof had sustained substantial damage due to wear and tear.
3. In fact, the petitioners want to make the said shed habitable, by repairing the frame of the roof and the tin and tiles thereon.
4. Under such circumstances, the prayer is allowed.

5. The learned Court will appoint an Advocate Commissioner, who will supervise and monitor the repair of the roof and ensure that such repair is restricted only to the roof overhead the shed. No construction of brick, mortar or cement will be permitted.
6. The remuneration of the learned Advocate Commissioner will be paid by the petitioners, as will be fixed by the learned Court. No equity will be claimed with regard to the said repair work. The opposite parties may raise objection if the repair is beyond what is directed by this court.
7. Accordingly, the revisional application is disposed of.
8. There shall be no order as to costs.
9. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)