

Item No.20
25.02.2026
Court. No. 6
GB

C.O. 3244 of 2025

Mafura Bibi & Ors.
Vs.
Moseb Ali Biswas & Ors.

Mr. Satyam Mukherjee,
Mr. Purnendu Sekhar Ghosh

...for the Petitioners.

1. This Court does not deem it necessary to entertain the revisional application. In my view, justice would be served if the petitioners went back before the learned court and prayed for hearing of the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure, at least on the point of ad interim order.
2. The petitioners have disclosed in the application that, a caveat was filed not against them, but against the proforma defendants. Thus, service upon the caveators was not necessary. However, this issue can also be raised before the learned trial Judge. The matter has been fixed on June 9, 2026.
3. Keeping the application pending before this Court will only cause delay in getting the reliefs. It will be beneficial if the plaintiffs go back to the learned trial Judge and make their submissions on the issues raised in this revisional application, and renew their prayer for ad-interim order. The prayer

for ad-interim order will be decided on merits. The order impugned is not interfered with.

4. Accordingly, the revisional application is disposed of.
5. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)