

Form No. J(2)

In the High Court at Calcutta

Civil Appellate Jurisdiction

Appellate Side

Present: The Hon'ble Justice Sabyasachi Bhattacharyya
And
The Hon'ble Justice Supratim Bhattacharya

F.M.A. 249 of 2026
IA No: CAN 2 of 2025

Mr. Uttam Kumar Das
Vs.
M/s. Chowdhury Travels and others

For the appellant : Mr. Suddhasatva Banerjee
Mr. Prantik Garai
Mr. Subhojit Roy
Mr. Ratul Deb Banerjee

For the respondent no. 1 : Mr. Probal Kr. Mukherjee, Sr. Adv.
Mr. Mrinal Kanti Ghosh

Heard on : 17.02.2026 & 23.02.2026

Judgment on : 23.02.2026

Sabyasachi Bhattacharyya, J.:-

1. On hearing learned counsel for the parties, we find that a consensus in principle has been arrived at between the parties.

2. The crux of the dispute is regarding the validity of the new committee of the respondent no.3-Association namely, Travel Agents Association of Bengal (TAAB) which came into power after March 31, 2025.
3. On the basis of the names suggested respectively by the parties and in order to smoothly conduct the fresh elections of the said Association in terms of its bye-laws, we hereby appoint Mr. Ritzu Ghosal and Mr. Biswabrata Basu Mallick, both learned Advocates practising in this Court, as joint Special Officers who will act as election officers to hold the oncoming elections of the said Association.
4. We make it clear, also on consent of the parties, that the learned Special Officers will be at liberty to take the assistance of the committee of the Association which was in power as on March 31, 2025 and that, for the purpose of the elections, a voters' list will be prepared first in terms of the list of the voters as existent on March 31, 2025.
5. The necessary formalities regarding the election shall be undertaken in terms of the bye-laws of the Association under the aegis of the learned Special Officers, if necessary with the assistance of the committee which was in power as on March 31, 2025.

6. It will be open to the learned Special Officers to take the assistance of any of the office bearers of the Association and/or other clerical staff for conducting such elections, if necessary.
7. It is expected that the entire process of such election shall be conducted, after preparing the voters' list and complying with the necessary provisions of notice etc. as provided in the bye-laws, on or before May 10, 2026.
8. The remuneration of the Special Officers is fixed at Rs.1 lakh for each of the Special Officers, payable equally by the parties within March 31, 2026.
9. FMA 249 of 2026 along with CAN 2 of 2025 are disposed of in the light of the above observations.
10. We make it clear that we have not entered into the merits of the respective contentions of the parties in the main suit from which the present appeal arises.
11. The parties will be at liberty to approach the learned Trial Judge for necessary orders in respect of modification/vacating of the injunction order which is impugned in the present appeal after the new body is elected.
12. Leave is granted to the parties as well as the learned Special Officers to approach the trial court for necessary orders if any difficulty or contested issues arise with regard to the conduct of the elections.

- 13.** All concerned shall act on the server copies of this order for the purpose of compliance.
- 14.** Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)

I agree.

(Supratim Bhattacharya, J.)

AD-05
AK