

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

**Present:
The Hon'ble Justice Debangsu Basak**

CO 210 of 2025

**Sri Tapas Roy
Vs.
Sri Sunil Singha**

For the Petitioner : Mr. Sandip Mandal, Advocate
Mr. Amit Saha, Advocate
Ms. Poonam Kaur, Advocate

Heard & Judgment on: **January 8, 2026**

DEBANGSU BASAK, J.:-

1. The revisional application is directed against Order No.5 dated November 12, 2025 passed in Misc. Appeal No.10(08) of 2025.
2. By the impugned order, the learned Appeal Court refused to grant an interim order of injunction.
3. Records made available to Court demonstrate that, the petitioner as the plaintiff filed a suit being Title Suit No.134 of 2025 in the Court of the learned Civil Judge (Junior Division) at Siliguri praying for declaration, injunction and consequential relief in respect of an immovable property concerned.

4. In such suit, the petitioner as the plaintiff applied for injunction. Prayer for ad interim injunction was refused by the learned Trial Judge by the order dated July 31, 2025.
5. Refusal to pass ad interim order of injunction proceeded on the basis that the plaintiff was unable to establish title to the property on a *prima facie* level.
6. Petitioner preferred an appeal against the order dated July 31, 2025 which was registered as Misc. Appeal No.10(08) of 2025.
7. By the impugned order dated November 12, 2025, learned Appeal Court refused to grant ad interim injunction on the ground that the plaintiff was unable to establish title to the property on a *prima facie* level.
8. Documents annexed to the petition before Court suggests at least a *prima facie* basis that title to the land belongs to the petitioner.
9. Coordinate Bench was pleased to grant ad interim injunction by the order dated December 15, 2025 in this revisional application.
10. Despite service, none appears for the opposite party to contest the revisional application.
11. Keeping the revisional application pending will not sub-serve the interest of justice.
12. Injunction petition as well as Misc. Appeal are yet to be disposed of.
13. In such circumstances, it would be in the interest of justice that the ad interim injunction passed by the Coordinate Bench on December 15, 2025

is directed to continue till June 30, 2026 or until further orders of the learned Trial Judge.

14. Learned Trial Judge is requested to hear and dispose of the injunction petition as expeditiously as possible.
15. This Court clarifies that the Court did not enter pronounce on the claim of the petitioner finally. The finding returned is only for the purpose of this revisional application and the same will not prejudice any of the parties. Learned Trial Judge is at liberty to pass such order in the injunction application as deemed appropriate.
16. **CO 210 of 2025** is **disposed of** without any order as to costs.

(Debangsu Basak, J.)