

**IN THE HIGH COURT AT CALCUTTA  
COMERCIAL DIVISION  
ORIGINAL SIDE**

**APOT/58/2026  
WITH  
CS.COM/1/2024  
IA NO: GA-COM/1/2026**

**PRIMELINK TRADECOM LLP  
VS  
KONSORTIA PROJECTS PRIVATE LIMITED ANDORS.**

**BEFORE:**

**The Hon'ble JUSTICE DEBANGSU BASAK  
AND**

**The Hon'ble JUSTICE MD. SHABBAR RASHIDI  
Date : April 8, 2026.**

**Appearance:**

*Mr. Sabyasachi Choudhury, Sr. Adv.  
Mr. Shounak Mukhopadhyay, Adv.  
Mr. Kallol Saha, Adv.  
Mr. Akash Ghosh, Adv.  
Ms. Nabanita Chakraborty, Adv.  
...for the appellant.*

*Mr. Krishnaraj Thaker, Sr. Adv.  
Mr. Chayan Gupta, Adv.  
Mr. Rittick Chowdhury, Adv.  
Mr. Dwip Raj Basu, Adv.  
...for the respondent No. 1.  
Mr. Debnath Ghosh, Sr. Adv.  
Mr. Sudarsan Roy, Adv.  
Mr. Debayan Ghosh, Adv.  
Mr. Biswaroop Mukherjee, Adv.  
...for respondent Nos. 2 to 10.  
Mr. Rahul Karmakar, Adv.  
Mr. S. K. Poddar, Adv.  
...for respondent Nos. 11 & 12.*

**The Court:** Appeal is directed against an order dated March 10, 2026 passed in GA-COM/1/2024, GA-COM/2/2024 and GA-COM/7/2024 in CS-COM/1/2024.

Learned Senior Advocate appearing for the appellant submits that, the appellant is a sub-lessee in respect of the immovable property concerned in the suit. He refers to the prayers in the plaint. He refers to the prayers in the injunction petition. He refers to an order dated April 3, 2024 passed by the Division Bench. He refers to a subsequent order dated December 2, 2024 again by another Division Bench. He refers to the orders passed from time to time. He submits that, the injunction petition is required to be heard and decided finally.

Learned Senior Advocate appearing for the appellant submits that, the impugned order directs an enquiry into the alleged unauthorized construction by an authority. He submits that, such directions are beyond the prayers made in the plaint. In any event, such interim order was not necessary in view of the fact that, the injunction petition was directed to be heard finally. It was being heard. At such stage, further ad interim order was not necessary.

The respondents are represented.

Apparently, the suit is by a developer in respect of an immovable property which is the subject matter of the suit. One of the prayers in the plaint relates to a construction. Order dated April 3, 2024 passed by a Division Bench regulates constructions permitted to be undertaken at the property concerned. There are orders subsequent thereto. There is a subsequent order dated December 2, 2024 passed by another Division Bench.

The impugned order does not decide the rights of the parties, *inter se*, with regard to the construction obtaining at the property, finally. Impugned

order requires an authority to enquire into the construction and to submit a report.

Learned Single Judge is yet to take up a final decision on the rival contentions of the parties. Learned Single Judge by the impugned order requires certain information to be furnished.

We are not minded to interfere under Clause 15 of the Letters Patent, 1865 with regard to the order impugned before us. Learned Single Judge is yet to decide the issues between the parties finally. Moreover, learned Single Judge requires certain information to be placed for ultimate consideration.

In such circumstances, APOT/58/2026 along with connected application are dismissed, without any order as to costs.

We clarify that, we did not enter into the merits of the rival contentions of the parties. All points raised by the parties are kept open to be decided by the learned Single Judge.

**(DEBANGSU BASAK, J.)**

**(MD. SHABBAR RASHIDI, J.)**