

**Misc Case No. 33 of 2026**

**Order No. 03 dated 05.05.2026**

The instant Misc case has been filed by the petitioner for rectification of order dated 04.02.2026 passed in Misc Appeal No. 7 of 2026.

By filing the petition, the petitioner stated that during order Ld. Appellate court erroneously directed the Ld. Trial court to hear the petition for ad-interim injunction by giving the scope of hearing to both sides as early as possible.

The portion of the order is not proper as ad-interim injunction is always heard ex parte. There is no scope to hear the same in presence of both sides.

The mistake is clerical one and should be corrected.

After perusal of the case record, the order of Ld. Appellate court it appears that in the order portion Ld. Appellate Court specifically mentioned about the direction and order and there is no clerical mistake or arithmetical mistake in the said order of Appellate court dated 04.02.2026 in Misc Appeal no. 07 of 2026.

Hence, considering all the aspects, after perusal of the case record and the record of Misc Appeal no. 07 of 2026 and order dated 04.02.2026, the petition U/s 152 CPC for rectification of order is hereby rejected.

The Misc case is thus, disposed of.

D/C by me,

ASJ-I

(Sharanya Sen Prasad)/WB-690,  
Addl. Sessions Judge ,  
1<sup>st</sup> Court, Sealdah  
South 24-Parganas