

Misc Appeal no. 52 of 2025

Order No. 1 dated 22.08.2025

The instant Misc appeal was preferred against order dated 01.08.2025 passed by Civil Judge (Jr. Divn) 2nd Court, Sealdah in TS suit No. 334 of 2025 wherein the prayer for ad-interim injunction was refused.

From the noting of the dealing assistant it is found that there is no caveat in this case.

The instant Misc. Appeal is taken up on the point of admission hearing. Heard the Ld. Advocate for the appellant/plaintiff, perused the impugned order and memo of appeal and considered. The appeal is filed within time. There is sufficient prima facie grounds to admit the instant appeal. Accordingly, the appeal is admitted.

The appellant/plaintiff is directed to file requisites with process fees for service of notice upon the respondent at once.

Office is directed to issue notice on receipt of requisites.

Ld. Advocate for the appellant/plaintiff moves the petition under order 39, rule 1 and 2 of CPC.

Heard Ld. Advocate for the appellant.

Perused the impugned order passed by passed by Civil Judge (Jr. Divn) 2nd Court, Sealdah in TS suit No. 334 of 2025.

I am not inclined to pass any order in respect of the petition under order 39, rule 1 and 2 of CPC without hearing of the respondent.

The appellant is directed to serve the notice upon the respondent.

To **08.09.2025** for hearing the petition petition under order 39, rule 1 and 2 of CPC in presence of the respondent.

Requisites at once.

D/C by me

(Anirban Das)/WB00691
ADJ- 1st Court, Sealdah

(Anirban Das) WB-691,
Addl. District Judge,
1 Court, Sealdah