



2026:CHC-AS:1115-DB

D/L:90.
April 9, 2026.
MNS.

FMA No. 349 of 2026
+
CAN 1 of 2026
+
CAN 2 of 2026

Sri Manajit Chandra and another
Vs.
Sri Nikhil Chandra and others

Mr. Siddhartha Sarkar, Adv.

... for the appellants.

Re : CAN 1 of 2026 (stay)
+
CAN 2 of 2026 (injunction)

1. The present appeal has been preferred against an order whereby an ad interim order of status quo has been vacated under Order XXXIX Rule 4 of the Code of Civil Procedure.
2. It prima facie appears from the perusal of the impugned order that the same is devoid of any reason vis-à-vis the parameters stipulated in Order XXXIX Rule 4 of the Code of Civil Procedure.
3. Accordingly, the appeal is admitted and shall be heard on the above ground and the other grounds taken in the memorandum of the appeal.
4. There shall be stay of operation of the impugned order dated February 18, 2026 passed by the learned Civil Judge (Senior Division) at Ghatal, District- Paschim Medinipur in Title Suit No. 218 of 2025, till disposal of the applications.



5. The respondents shall file their affidavits-in-opposition to CAN 1 of 2026 and CAN 2 of 2026 within three weeks from date.

6. Affidavit-in-reply thereto, if any, shall be filed within a week thereafter.

7. The applications shall next be listed in the monthly list of June 20, 2026 when an affidavit-of-service shall be filed by the appellants, upon service of copies of the applications, bearing CAN 1 of 2026 and CAN 2 of 2026, along with a copy of the memorandum of the appeal, on the respondents.

(Biswaroop Chowdhury, J.) (Sabyasachi Bhattacharyya, J.)