

CO. 953 of 2026

19.03.26
D/L
Sl-25
Ct. 06
(Samar)

Panji Griha Nirman Pvt. Ltd. & Ors.
v.
Ayan Sadhukhan & Ors.

Mr. Partha Pratim Roy,
Mr. Sonmyadeb Sinha,
Ms. A. Goswami,

....for the Petitioners.

1. This revisional application assails an order dated February 21, 2026 passed by the learned Civil Judge (Senior Division), 1st Court, Baruipur, South 24- Parganas as well as an order dated February 27, 2026 whereby the petitioners' application seeking recalling of the interim order passed on February 21, 2026 has been posted for hearing on April 21, 2026.
2. Mr. Roy, learned advocate appearing for the petitioners submits that the order impugned is wholly without jurisdiction inasmuch as the same has been passed without affording any opportunity to the petitioners to state their case despite the petitioners having lodged caveat. It is submitted that in view of the official pre-occupations of the learned Presiding Officer of the learned Trial Court, the learned Trial Court has not been able to take up the said application. The petitioners are, therefore, suffering an order of injunction, which the petitioner should not have suffered even for one

day.

3. He relies on a judgment of the Co-ordinate Bench of this court in the case of ***Sisir Kumar Das Vs. Badri Prosad Gupta***, reported at ***(2000) ILR 1 Cal 297*** and two judgments of this court in the case of ***Sukumar Roy & Ors. Vs. Pratul Kumar Roy***, reported at ***90 CWN 288*** and ***The Gayatri Chetna Foundation Vs. Manoj Joshi & Ors.***, reported at ***2025 (3) Bom CR1*** in support of his contention that only option left for the learned Trial Court upon it being brought to its notice that the interim order had been passed by the said learned court without hearing the caveator would be to recall the said order.
4. Mr. Roy, learned advocate appearing for the petitioners seeks leave of this court to file a supplementary affidavit bringing on record a copy of the order dated February 27, 2026 passed by the learned Civil Judge (Senior Division), 1st Court, Baruipore, South 24- Parganas in Title Suit No. 105 of 2026. Such leave is granted. Let such supplementary affidavit be filed within a week from date.
5. The petitioner shall serve a copy of the revisional application along with a notice on the opposite parties as well as the learned advocate representing the opposite parties in the learned Trial Court intimating them that the matter shall be taken up

next on March 25, 2026.

6. List this matter for further consideration on March 25, 2026.

(Om Narayan Rai, J.)