

D/L.24.
February 24, 2026.
MNS.

FMA No. 1014 of 2023
+
CAN 1 of 2024

City Devcon Private Limited and others
Vs.
Amit Kumar Ghosh and another

Mr. Ayan Banerjee,
Ms. Debasree Dhamali

... for the appellants.

Re: CAN 1 of 2024 (injunction application)

1. The affidavit-of-service along with the postal envelopes filed today be kept on record.
2. Despite service, none appears for the respondents.
3. It transpires that due service has been effected on the learned Advocate for the respondents in the trial court, although the postal articles have returned with the endorsement "insufficient address".
4. We deem the same to be good service and as such, take up the injunction application for hearing.
5. Upon a perusal of the pleadings and the materials annexed to the injunction application, we find no reason to deviate from the observations made by us in the order dated February 2, 2026 granting ad interim injunction.
6. Accordingly, CAN 1 of 2024 is allowed, thereby granting injunction restraining the respondents and/or their men and agents from taking any action in furtherance of or

pursuant to the Board resolutions impugned in Title Suit No. 1573 of 2023 till disposal of the appeal.

7. There will be no order as to costs.

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8. In view of the relevant papers being already annexed to the present injunction application, calling for the trial court records is dispensed with.

9. The appellants shall put in postal costs, due requisites and written up notice form, for service of notice of the appeal on the respondents, within a week from date.

10. In view of our above observations, filing of informal paper books is dispensed with and the appeal shall be heard on the basis of the papers annexed to the injunction application and the memorandum of the appeal.

11. Liberty to the parties to mention the appeal for inclusion in the list for hearing as and when the same is ready as regards service.

12. It is made clear that since the present appeal arises out of a refusal of ad interim injunction, nothing in this order or the pendency of the present appeal shall prevent the trial court from proceeding with the hearing of the temporary injunction application pending in the trial court as well as the suit thereafter.

(Supratim Bhattacharya, J.) (Sabyasachi Bhattacharyya, J.)