



Item No.44
18.10.2024
Court. No. 7
(Vacation Bench)
SKB

C.O.3807 of 2024

Shoumik De
VS
Utsav Dey & Anr.

Mr. Anupam Kumar Bhattacharyya,
Mr. Mrintunjay Saha,
Mr. Shamik Bagchi,
Mr. A.R. Hafiz

... for the Petitioner.

The learned advocate for the petitioner is present.
Heard learned advocate for the petitioner.

The order under challenge is the order passed by the learned Civil Judge (Senior Division), Sealdah in Title Suit No.202 of 2024 on 13.08.2024 and the order passed by the learned appellate court on 01.10.2024.

It appears from the orders that both the learned courts below have refused to pass ad interim order of injunction.

Learned advocate for the petitioner submits as because the property belongs to the deity, the said property has to be protected at the interim stage and third party outsider cannot be permitted to enter the property and the nature of the property cannot be permitted to be changed.

Upon considering the facts of the case and nature of the relief and the exigency and the balance of convenience, this Court is of the view that this revisional application should be heard.

Thus, this revisional application is admitted.



Let notice be issued upon the opposite parties and affidavit-of-service be filed within one week from the date of reopening after the puja vacation.

Pending hearing of this application, there will be an ad interim order of injunction restraining the opposite parties from changing the nature and character of the suit property and from transferring or alienating the suit properties to the third parties for a period of three weeks from the date of reopening of the puja vacation.

(Biswaroop Chowdhury, J.)