

D/L.31.
February 24, 2026.
MNS.

FA No. 91 of 2025
+
CAN 2 of 2025

Soma Guha and another
Vs.
Md. Arif and another

Mr. Anirban Roy,
Mr. Debjit Basu

... for the appellants.

Re: CAN 2 of 2025 (injunction application)

1. By an order dated January 20, 2026, we had granted ad interim injunction till disposal of the application and had directed affidavits to be filed by the parties.
2. However, none appears for the respondents today at the time of call, nor is any affidavit-in-opposition filed by the respondents.
3. Learned counsel for the appellants submits that no copy of any affidavit has been served on him either.
4. Accordingly, since the respondents choose to remain absent at the time of call, we take up CAN 2 of 2025 for hearing ex parte.
5. From the materials annexed to the application and the averments made therein, we find that the present appeal arises out of a dismissal of a suit for specific performance of contract and sufficient *prima facie* case for grant of injunction has been made out.
6. Also, we do not find any reason to deviate from the ad interim order granted by us earlier on January 20, 2026.

7. Accordingly, CAN 2 of 2025 is allowed, thereby restraining the respondents and/or their men and agents from selling, transferring, alienating, encumbering and/or from creating any third party interest and/or from disturbing the peaceful possession in the enjoyment of the plaintiffs/appellants in respect of the suit property in any manner till disposal of the appeal.

8. There will be no order as to costs.

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