

**25/02
2026**

**AD-03/04
1509
NANDY**

(NC)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Civil Revisional Jurisdiction
Appellate Side**

CO 23 of 2026

Khalilur Rahaman & Ors.

VS

Serajul Md. & Anr.

Mr. Anurag Sharma, Advocate

Ms. Nikita Agarwal, Advocate

.....for the Petitioners

1. The grievance of the applicants is that in a partition suit, to which they are parties an interim order was passed on 02.01.2026 directing the parties to the suit, including the applicants to maintain *status quo* in respect of the nature, character as well as possession in respect of the suit land, till disposal of the suit.
2. An appeal from the said order preferred by the applicants herein is pending adjudication. Even while such appeal was pending, a second application was made under Section 151 of the Code of Civil Procedure, 1908 (hereinafter the Code) by the plaintiffs seeking police assistance to implement the directions contained in the order dated 02.01.2026. It is the order dated 31.01.2026, passed in such application, which has been assailed in this revisional application.
3. It is contended on behalf of the applicants that by the order dated 31.01.2026; the order of 02.01.2026 was enlarged and expanded without any prayer for the same. By this order impugned, the learned Civil Judge (Senior Division), Jalpaiguri Sadar, has added the

words “and **alliteration** and ownership in respect of the suit land by violating the injunction order”. The obvious typographical error in the quoted portion can safely be ignored.

4. The revisional application is admitted as it clearly appears that such an order under Section 151 of the Code seeking police assistance has unnecessarily expanded the order of 02.01.2026. This is clearly impermissible.
5. The order dated 31.01.2026 is stayed till 31.03.2026 or until further order, whichever is earlier.
6. Let a copy of the petitioner be served on the respondents.
7. Let this matter be listed before the next Circuit Bench on 25.03.2025 subject to convenience of the appropriate Bench.

(Reetobroto Kumar Mitra, J)

