

JPD-15
Ct No.07
12.06.2026
(SSS)

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

FMAT 6 of 2026
With
CAN 1 of 2026

M/s. Shital Ice Factory and Cold Storage
Vs.
Satyajit Roy and Ors.

Mr. Surajit Nath Mitra, Sr. Adv.,
Mr. Debasish Mukhopadhyay,
Mr. Rajat Das

.... for the appellant.

1. Upon hearing learned senior counsel appearing for the appellant, we find sufficient merits in the appeal inasmuch as *prima facie* it transpires that an injunction in the form of *status quo* has been granted in a suit where the primary relief is a challenge to several title deeds and the consequential relief is partition, whereas the challenge to the said title deeds appears from the face of the plaint to be palpably time-barred, thus vitiating the maintainability of the suit itself.
2. This appeal will be heard on the above question as well as other grounds taken in the memorandum of appeal.
3. The appellant shall serve copies of the memorandum of appeal as well as CAN 1 of 2026 on the plaintiffs/respondent nos. 1 and 2,

indicating that the appeal and the application shall be taken up for hearing on June 17, 2026 under the heading "Specially Fixed Matters". The preparation of paper books and calling for the records is dispensed with.

4. Leave is granted to the appellant to rely on further documents at the time of hearing, if so deemed necessary, upon serving advance copies of a compilation of such documents on the respondent nos. 1 and 2 along with the memorandum of appeal and the application.
5. Service of notice of the appeal on the other respondents is dispensed with.
6. The appellant shall file an affidavit of service on the returnable date.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)