

In the High Court at Calcutta
Commercial Division
Original Side

IA NO. GA-COM/1/2026
In CS-COM/94/2026

SRI SOMNATH MONDAL
VS
MAITRA SERVICENTER AND ORS.

BEFORE:
The Hon'ble JUSTICE ANIRUDDHA ROY
Date : August 31, 2026.

Appearance:

Mrs. Shyamolima Sarkar, Adv.
Mr. Supratick Shyamal, Adv.
Mrs. Sonali Sengupta, Adv.
Ms. Manisha nath, Adv.
Mrs. Paromita Barik, Adv.
...for the plaintiff

Mr. Asis Bhattacharyya, Adv.
Mr. B. Mitra, Adv.
Ms. Antara Chowdhury, Adv.
...for the defendant No. 2

Mr. Rupak Ghosh, Adv.
... for the defendant no.3

Mr. Puspendu Chakraborty, Adv.
...for the defendant Nos. 4, 5 and 6

The Court: Mr. Supratick Syamal, learned Advocate with Mrs. Shyamolima Sarkar, learned Advocate appears for the plaintiff.

Mr. Asis Bhattacharyya, learned Advocate appears for the defendant No. 2.

Mr. Rupak Ghosh, learned Advocate appears for the defendant No. 3.

Mr. Puspendu Chakraborty, learned Advocate appears for the defendant Nos. 4, 5 and 6.

At the outset, learned Advocate appearing for the Oil Company submits that addresses of defendant Nos. 4, 5 and 6 as stated in the cause title are not the present address and these defendants have shifted their office from the addresses mentioned in the cause title for about last three years back and are now carrying on business and/or their offices at New Town, outside the territorial jurisdiction of the Original Side of this Court.

Learned Advocate appearing for defendant Nos. 2 and 3 submits that prayer for injunction stated in **prayer (b)** in respect of immovable property described in the **Schedule** at **page 23** of the injunction application, is also beyond the territorial jurisdiction of this Court. Hence, no injunction can be passed on the same.

On perusal of the cause title, it appears that the defendant Nos. 1 to 3 are admittedly beyond the territorial jurisdiction of this Court.

When a point of jurisdiction has been raised by the defendants, which goes at the root, it includes that it is a *prima facie* case to be considered at the time of passing of any order of injunction.

At this juncture, learned Advocate for the plaintiff, Mrs. Shyamolima Sarkar prays for some time to apprise this Court on the next day.

The matter shall appear under the heading “**New Motion**” on **September 9, 2026**.

(ANIRUDDHA ROY, J.)

Sbghosh