

IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTION  
ORIGINAL SIDE

IA NO. GA/1/2025  
IN  
CS/127/2025

C AND J PROPERTIES PVT. LTD. & ORS.  
Vs  
SMT. LAJWANTI KEDIA & ORS.

BEFORE:  
The Hon'ble JUSTICE ARINDAM MUKHERJEE  
Date: 3<sup>rd</sup> February, 2026

Mr. Arindam Banerjee, Sr. Adv.  
Mr. Tapajit Das, Adv.  
. . . for plaintiffs/petitioners.

Mr. Debnath Ghosh, Sr. Adv.  
Mr. Sarosij Dasgupta, Adv.  
Mr. Keshav Daruka, Adv.  
Mr. Sitikantha Mitra, Adv.  
. . . for defendant nos.1, 2 & 3.  
Mr. Tanay Chakraborty, Adv.  
Mr. Ishan Bhattacharya, Adv.  
.. . for defendant nos.4 to 13.

The Court :- Affidavit of service filed in Court today is taken on record.

After hearing the parties it appears that the dispute relates to a plot of land in between two sets of premises. The plaintiffs say that under the deeds of conveyance dated 31<sup>st</sup> March, 1990 the plaintiffs were given exclusive half share of Segment A and right of use of Segment B of the

properties shown in the schedule of the plaint. The plaintiffs also complain that the strip of land comprising of segment A and B is actually a passage and their right to use the passage has been infringed by the defendants.

The defendants, on the other hand, say that they have exclusive right over a portion of the strip of land which plaintiffs represent as the passage and have a right of egress and ingress through the Segment B property. Segment A is a property wherein the defendants are not claiming any exclusive right. According to the defendants, the defendant nos. 4 to 13 had exclusive right in respect of a portion of the property comprised in the passage which have been sold by a deed of conveyance dated 19<sup>th</sup> May, 2025 to the defendant nos.1, 2 and 3. The defendants also say that the property which the plaintiffs say to be segment A property is not the same on which the defendants are claiming their exclusive right.

In view of such contrary claims, the matter requires to be heard on affidavits.

Let affidavit-in-opposition be filed by 27<sup>th</sup> February, 2026; reply thereto, if any, be filed by 24<sup>th</sup> March, 2026. Matter to appear in the monthly list of April, 2026.

It is made clear that neither of the parties shall change the nature and character of the plot of land which is shown in the schedule of the plaint as Segment A and Segment B property until further orders.

This order will, however, not create any embargo in the use and enjoyment of the respective individual properties of the plaintiffs and the

defendants excluding the Segment A and Segment B properties as shown in the schedule of the plaint.

(ARINDAM MUKHERJEE, J.)

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