
[CIRCUIT BENCH AT PORT BLAIR]

CO/27/2026

Miss. Shiksha Joydhar

Vs.

Shri Debendra Nath Jaidhar and others

Mr. K.Vijay Kumar` ... for the petitioner

Mr. Siddhartha Singha ... for the respondents

August 07, 2026
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1. The petitioner claims to have filed a suit before the learned Civil Judge Senior Division, Port Blair being O.S.No.123/2025 seeking partition of alleged joint property of the defendants and also cancellation of the sale deed.

2. An interim order was passed on 11.11.2025 directing the parties not to alienate, change the nature and character of the property till 11.12.2025. The interim order was extended from time to time and stated to be subsisting as on date.

3. In the suit, a further application has been filed under section 151 of the Code of Civil Procedure claiming that at the instance of the private respondent, the Executive Engineer, PHED, APWD had disconnected the water supply to the plaintiff/applicant.

4. The relief sought was against the Executive Engineer to restore such water supply to the plaintiff/petitioner. The Trial Judge rejected the application on ground that since the Executive Engineer was not a party to the suit, no relief can be granted to the plaintiff/petitioner.

5. Having heard the learned counsel for the parties, this Court is of the view that the Trial Judge has neither exceeded his jurisdiction nor failed to exercise jurisdiction conferred on him under the law.

6. Indeed, an order cannot be passed on third party to the suit even at the interim stage. This is more so when the respondent/OP have denied any role in the disconnection of the water supply to the petitioner's premises.

7. In the light of above, this Court is not inclined to entertain the revisional application. Liberty is however reserved to the petitioner to take out an independent proceedings against the Executive Engineer, in accordance with law to seek restoration of water supply connection.

8. With the aforesaid observations, CO/27/2026 stands disposed of. There shall be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)