

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

APOT/228/2024
WITH
CS/153/2024
IA NO: GA/1/2024

EASTERN INDIA EDUCATIONAL INSTITUTION AND ANR
VS
ANAMIKA LODHA AND ORS

And

APOT/229/2024
WITH CS/155/2024
IA NO: GA/1/2024

HINDUSTAN MEDICAL INSTITUTION AND ANR
VS
ANAMIKA LODHA AND ORS

And

APOT/230/2024
WITH
CS/156/2024
IA NO: GA/1/2024

BELLE VUE CLINIC AND ANR
VS
ANAMIKA LODHA AND ORS

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

And

The Hon'ble JUSTICE PARTHA SARATHI SEN

Date :28th February, 2025.

Appearance:

Mr. S.N. Mookherjee, Sr. Adv.
Mr. JishnuSaha, Sr. Adv.
Mr. Anirban Ray, Adv.
Mr. D.N. Sharma, Adv.
Mr. Rajarshi Dutta, Adv.
Mr. Rupak Ghosh, Adv.
Mr. Sankarsan Sarkar, Adv.
Mr. Debdut Mukherjee, Adv.
Ms. PrithaBasu, Adv.
Mr. Naman Choudhury, Adv. 2
Mr. Subhrajyoti Mukherjee, Adv.

Mr. ShayakMitra, Adv., Adv.
 Ms. S. Agarwal, Adv.
 ..for the appellants

Mr. AbhrajitMitra, Sr. Adv.
 Mr. Jishnu Chowdhury, Adv.
 Mr. Debanjan Mandal, Adv.
 Mr. Soumya Roy Chowdhury, Adv.
 Mr. Sanjiv Kr. Trivedi, Adv.
 Mr. Sarvapriya Mukherjee, Adv.
 Mr. Subhankar Nag, Adv.
 Mr. Satadeep Bhattacharyya, Adv.
 Mr. ShaunakMitra, Adv.
 Ms. Iram Hassan, Adv.
 Mr. SanketSarawgi, Adv.
 Mr. D. Sarkar, Adv.
 Mr. AltamashAlim, Adv.
 Mr. P. Lakhmani, Adv.
 ...for Harsh VardhanLodha and AnamikaLodha.

Mr. RanjanBachawat, Sr. Adv.
 Mr. Sayan Ray Chowdhury, Adv.
 Mr. Satyaki Mukherjee, Adv.
 Mr. NavneetMisra, Adv.
 ...for respondent no.4 (PradipTandon)(A Chattopadhyay)

The Court:-In view of the previous order, it is deemed that the appeal was admitted and was taken up for hearing.

However, in view of the long pendency of the appeal and keeping in view the fact that the main injunction application is pending before the learned Single Judge, who passed the impugned order, and is ripe for hearing and in view of the petitioner therein being ready for hearing with its affidavit-in-reply, we gave an option to learned counsel for the parties that the present appeal be disposed of, leaving all questions open for being decided by the learned Single Judge in connection with the main injunction application.

Furthermore, we are of the opinion that if we enter into the merits of the present appeal, the same might have a bearing on the adjudication before the learned Trial Judge, more so, since the present appeal is against an *ad interim* order.

As such, we are inclined to dispose of the appeal and keep it open to the parties to urge all the points taken in the appeal before the learned Single Judge in connection with the main injunction applications and connected applications.

Accordingly, APOT/228/2024, APOT/229/2024 and APOT/230/2024, along with the connected pending applications, are disposed of without entering into the merits of the matter and keeping it open to the parties to urge all issues taken in the present appeal before the learned Single Judge in connection with main injunction applications.

There will be no order as to costs.

Since no affidavits have been invited, it is deemed that none of the allegations made in the applications are admitted by any of the respondents in any of the appeals.

We pass the above order by reposing confidence on the learned Single Judge, since the injunction application is ready for hearing, and assume that the said application will be disposed of at an early date.

The time for filing reply before the learned Single Judge by the plaintiffs-appellants is extended for a week from date.

(SABYASACHI BHATTACHARYYA, J.)

(PARTHA SARATHI SEN, J.)