
(2023) 03 TP CK 0018

Tripura High Court- Agartala

Case No: First Appeal From Order No. 01 Of 2021

Surface Tech. (India)
Pvt. Ltd.

APPELLANT

Vs

Mrinal Sanjib And 3 Ors

RESPONDENT

Date of Decision: March 16, 2023

Hon'ble Judges: T. Amarnath Goud, J

Bench: Single Bench

Advocate: P. Gautam, Samar Das, P. Roy Barman, Sujata Deb (Gupta), Samarjit
Bhattacharjee, Kawsik Nath, A Debbarma

Judgement

T. Amarnath Goud, J

This Court prima facie has expressed that the order under challenge dated 06.03.2021 is hit by the doctrine of res judicata as the earlier injunction

application dated 20.05.2020 which has been filed by the plaintiff was also rejected. Again another application by impleading the Airport Authority as

defendant/respondent, the present injunction application has been filed and the Court below has granted injunction on 06.03.2021. It is seen from the

record that nowhere either of the counsels or the Court has dealt with the earlier injunction application which was rejected on 20.05.2020 and during

the course of argument when this Court has expressed its concern with regard to maintainability of the injunction application which has been filed by

the respondent herein, the learned senior counsel Mr. P. Roy Barman seeks time for placing judgments in support of his argument to show that as and

when there is a change in respondents, separate applications seeking injunction can be filed and it is not required in doctrine of res judicata.

To accommodate Mr. Roy Barman, learned senior counsel, list this matter on 23.03.2023.