

**Injunction - Temporary or permanent injunction can be granted only against the parties to a suit - West Bengal Estates Acquisition Act, 1953, Section 57B (2)(a), (b) and (c). [Para 18]**

**“18.** Further, in the instant case, the order of temporary injunction dated 03.07.2006 was purportedly granted by consent is also not sustainable in law. The question of consent being given by either the appellant Housing Board or the predecessors in interest who are its vendors did not arise as they were not parties to the said suit. **It is a well settled principle of law that either temporary or permanent injunction can be granted only against the parties to a suit.** Further the purported consent order in terms of Order XXXIX of the Code of Civil Procedure is only binding as against the parties to the suit. In such a case, the order of the Subordinate Judge to grant police protection against the appellant Housing Board which is enjoying the property is erroneous in law and is liable to be set aside.

[2015 PLRonline 002](#)