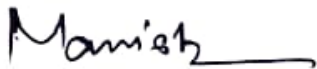


In The Court of Sub Judge, Sonapur
Sub Division Court, Sonapur at Saran.
Partition 642/2008

Date	Order
05/2025	Pairavi of both sides filed. Heard on petition filed by plaintiff on dated 17/08/2023 under Order 39 Rule 1 & 2 of CPC. That plaintiff has filed this suit for partition on schedule-I land of plaint and to get carve out his share. That plaintiff No. 1 & 2 and defendants of the suit are contesting in this suit. That defendants of the suit are muscles and powerful person who threatened plaintiff to withdraw suit. Plaintiff are old persons and physically challenged persons. Defendant wants to change nature of land. That defendant through out husk house which was kept on the disputed land since long time. That defendants try to make boundary wall around the disputed land so they stored construction material on the disputed land. That prima facie case is made out in favour of plaintiff and also balance of convenience is in favour of plaintiff. If defendant able to success to change nature of land then plaintiffs will suffer irreparable loss. Other sides opposed petition. That suit is at the stage of argument and evidence of both parties closed and fixed at the stage of argument. That defendant No. 1 argument was complete and also filed written argument in this suit. That such petition is filed by plaintiff only to delay in this suit. That plaintiff has filed revision against order dated 07/12/2021 but failed to get order of stay. That defendant are in possession of half portion of khasra No. 1338 on which defendants hand pumps, alebestus house, cattle house etc situated on it. Hence it is wrong to say that any husk house of plaintiff was forcibly removed by the defendant. Heard and perused record. That record is fixed at the stage of argument after closing of evidence of both parties. Advocate commissioner has submitted report and on perusal of report it transpires that no construction material is available on record. Report also states that cattle house, alebestus house, bathroom etc situated on the disputed land. That report of commissioner support statement of defendant. Also record is at the stage of argument. Hence considering stage of suit, relying on report of plaintiff and material available on record order of injunction can not be granted. But as the suit is about to conclude hence for the ends of justice both parties are directed to maintain status quo on the suit land till disposal of the suit. Next date is fixed for the argument is 22.5.25  Manish Kumar Sub Judge, Sonapur.