

**In the Court of Sukul Ram, Sub-Judge-I Cum ACJM, Narkatiaganj**

**Title Suit No. 90/2025**

**Yasmin Aara.....Plaintiff**

**V/S**

**Nasir Ahsan & others.....Defendants**

<u>DATE</u>	<u>ORDER</u>	<u>REMARKS</u>
04.06.2025	Attendance has been filed on behalf of the Plaintiff through her Ld. Counsel which is accepted for today only. Defendants are absent. On call, Ld. Counsel of the Plaintiff appeared before the court. He states that a petition has been filed on behalf of the Plaintiff under order 39 Rule 1 and section 151 CPC on 14-05-2025 and another petition has been on behalf of the Plaintiff on 14-05-2025 under order 26 rule 9 CPC. The Ld. Counsel of the Plaintiff states in his petition under order 39 rule 1 and section 151 CPC that the Plaintiff has filed the suit for declaration of her right, title and possession over suit land detailed in Schedule-2 of the Plaint. The suit land consist of the land of two plot no. 436 and 492 where there is 10 dhur land of plot no. 436, 3 katha, 18 land of plot no. 292 which she has acquired through a registered sale deed dated 28-09-2019 executed by defendant no. 3 over which she is coming in possession as rightful owner with full title. Out of the above said suit lands the land of suit plot no. 436 having area 10 dhur in gharari land where in the same plot no. 436 towards north there was 1 katha 10 dhur land of defendant no. 1 who sold this land to defendant no. 2 through a registered sale deed dated 20-09-2019 over which the defendant no. 2 has his possession. The defendant no. 2 in collusion with	

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<p><b>Continue</b> <b>04.06.2025</b></p>	<p>defendant no. 1 got started construction of house over his northern 1 katha 10 dhur land for which the Plaintiff had got no objection but they stealthly started extending their construction over southern 10 dhur land of Plaintiff over which the Plaintiff made objection and when they did not stop their over act, then the plaintiff got initiated a proceeding under section 163 of B.N.S.S which has now been dropped on completion of its statutory period and then again defendant no. 1 and 2 are adamant to make construction over Plaintiff's land, the suit and adamant to dispossess her from it and then the Plaintiff filed the suit for its final adjudication and for restraining them permanently to go upon and do any construction over suit land. The defendant no. 1 and 2 are so strong headed person and aggressive that if they are not restrain to go upon suit land and do any construction work, they will certainly make construction and disposses the Plaintiff from the suit land and if they succeeded in their overt act the Plaintiff will have irreperable loss and harship that can not be compensated in any term. From perusal of this petition and also the plaint of the Plaintiff your honours would find that the Plaintiff has got a good prima facie case and balance of convenience also lies in her favour. On the otherhand the defendants are rightless person and they have got no any right to make interference and make construction over suit</p>	
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