

TS No. 612 of 2022
CNR No. WBHW110007322022

Order No. 09, Date: 07.02.2025

Today is fixed for injunction hearing.

Now, the injunction application is taken up for hearing.

Ld. Advocate on behalf of the plaintiff submits that this is a suit for partition, declaration and injunction whereby it is admitted that both the defendants and the plaintiffs are in joint possession of the schedule suit properties but the defendants are trying to grab excess share and alienate the undivided share in the property, which calls for intervention in the form of injunction.

Ld. Advocate on behalf of the defendant on the other hand also admitted the fact of joint possession but have merely urged an evasive denial of the facts as contended by the plaintiffs. It is prayed that the injunction application be rejected as the plaintiffs are not trying to grab any excess share.

Heard . Considered. Perused the materials on record.

After perusing the plaint, the instant application for injunction along with all other relevant documents adduced by the Ld. Advocate for the plaintiff/petitioner, this Court is of the opinion that though the plaintiff has been able to make out prima facie case an injunction order in the nature of maintaining status quo in respect of the possession and nature and character of the suit property would not cause any prejudice to either parties, rather the preservation and protection of the schedule property being essential at this stage, for an effective adjudication in this suit, needs to be ensured. Therefore, the injunction order of status quo may be passed at this stage .

Hence it is

ORDERED

that the parties are directed to maintain status quo in respect of the possession, nature and character of the scheduled suit property as it stands today in terms of occupancy till disposal of the instant suit.

The injunction application is thus disposed of .

Fix 13.06.2025 for framing of issues.

D/C

C/J

Civil Judge (Jr. Division) 2nd Court, Uluberia

J.O. Code- WB1280