

Order No.02

Dated 15.12.2022

Learned Advocate for the plaintiffs moves the application for temporary injunction along with a prayer for ad-interim injunction to the same effect against the defendant.

Issue notice upon the defendant/opposite party asking him to show cause within 10 days from the date of receipt of the same as to why the temporary injunction shall not be granted against him as sought for by the plaintiffs/petitioners.

No caveat as reported by the Sheristadar. Perused the plaint, application for temporary injunction, documents, affidavit et cetera.

Having considered the submission of the learned Lawyer for the plaintiffs and also having considered the materials on record and balance of convenience and/or inconvenience as well as the urgency it seems to me that the plaintiffs have a good prima facie case to go into trial, and accordingly, I think it is a fit case for restraining the defendants and their men and agents from causing interference in the peaceful acts of possession of the plaintiffs and forbidding him from encroaching any portion of the suit property forcibly.

Hence, it is

ORDERED

that the prayer for an order of ad-interim injunction is allowed but in part;
that the defendant and his men and agents are hereby restrained from causing interference in the peaceful acts and possession of the plaintiffs and forbidding them from encroaching any portion of the suit property forcibly till **20.01.2023**.

The plaintiffs to comply with the provisions of Order 39 Rule 3(a) & (b) of the CPC with promptitude. Plaintiffs to file requisites, at once.

To **20.01.2023** for

- i) SR, AD and PR.
- ii) Filing WO, if any.
- iii) Hearing of the application for injunction.

Dictated & corrected by me,

**C.J.Jr.Divn.
JPG**

**Civil Judge, Junior Division,
Jalpaiguri**