

T.S. no. 1037 of 2026
Present : Smt. Paulami Pandit, JO WB01498

Later
Dated :14.08.2026

The petition u/o. 39 rule 1 and 2 read with section 151 C.P.C is taken up for hearing.

No caveat is pending by the defendants side as per the report of Sheristadar.

Heard the Ld. Advocate on behalf of the plaintiffs.

Perused the plaint, injunction petition and materials on record.

In support of his case, the plaintiffs filed some documents by way of feristi.

Certain documents though not exhaustive have been produced by the plaintiff side to establish their claim relating to the dispute but no document is produced by the plaintiff to prove his allegations regarding unilateral withdrawal of Rs. 14,37,000/- because the plaintiff being the joint account holder as averted by him he could have easily provided an account statement so considering the nature of dispute, granting ad-interim injunction at this stage would create greater complications and frustrate the purpose. In the opinion of this Court, this suit is having different layers of disputes and thereby there is a need to go deeper into this case and that would only be possible when the defendant side will be given an opportunity of being heard. Apart from that keeping in mind the prayer of plaintiff in the plaint and injunction petition, this court is not in position to grant prayer of the plaintiff without issuing notice upon the defendant side and giving the defendant side an opportunity of being heard and this court also finds that there is lack of prima facie case and there is no urgency in passing ad interim injunction order and therefore, the order of ad interim injunction cannot be granted at this juncture.

Hence, it is,

ORDERED

that the prayer for ad interim injunction is hereby rejected.

Issue notice upon the defendants to show cause within 15 days from the date of receipt of the notice as to why the plaintiffs' prayer for temporary injunction shall not be made absolute.

Fix **19.03.2027** for SR and AD.

D.C. by me.

Civil Judge (Jr. Divn.), 1st Court
Barasat, North 24 Parganas
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