

Present: Sri. Anubhov Kanjilal

T.S 619 of 2022

CNR No. WBBD04-000860-2022

Order No. 40 dated 20.07.2024

Today the record is fixed for filing amended plaint, fresh steps upon added defendant No. 03 and then injunction hearing in ex-parte.

Plaintiff files hazira along with a petition supported by an affidavit and prays to extend the order of interim injunction on the ground stated therein.

Heard. Considered. Prayer is allowed.

Let the order of interim injunction be extended till the next date fixed.

Plaintiff files amended plaint along with requisites for issuance of summons upon added defendant No. 03. P fees paid. Let the amended plaint be kept with the record.

Office is directed to issue the same.

Report from the OC. Madhabdihi P.S bearing DR-2188/2024 dated 17.07.2024 has been received. Let it be kept with the record.

Record is taken up for hearing of the application 19.12.2022 filed by the plaintiff under Section 151 of the Code of Civil Procedure for implementation of the order of injunction with help of police.

Heard learned advocate for the plaintiff who submitted that in spite of order of injunction in the nature of status quo dated 16.11.2022 passed by this court directing both parties to maintain status quo in respect to the suit property till next date fixed, but the defendants are trying to forcibly enter into the suit premises, threatening the plaintiff mentioning dire consequences and thereby violating the order of injunction passed by this court.

Accordingly this court had directed the OC Madhabdihi Police Station to submit a report on the present status of the schedule suit property. The concerned Madhabdihi P.S submitted a report stating that the police authorities have communicated the solemn order of this Court upon the defendants and presently "there are no violations of injunction", further it is submitted in the report that the police authorities are keeping a strict vigil over the suit property.

This Court is satisfied with the conduct of the concerned police officials of Madhabdihi P.S.

Rummaging through the record this court is of the opinion that the defendants will not be prejudiced in any manner if a direction be given to the police to implement the injunction order passed by this court.

In such circumstances, the instant application filed by the plaintiff is considered and allowed in ex-parte.

Hence, it is,

Ordered

that the application under Section 151 of the Code of Civil Procedure filed by the plaintiff for police help for implementation of the order of injunction passed by this Court on 16.11.2022 is considered and allowed on contest but without any costs.

Accordingly, the Officer-in-Charge of Madhabdihi Police Station is hereby directed to ensure proper implementation of the order of injunction passed by this Court on 16.11.2022.

Let a copy of this order along with the said order of injunction be sent to the Officer-in-Charge of Madhabdihi Police Station for implementation of the same.

That the application dated 19.12.2022 is hereby disposed of.

Fix **16.08.2024** for SR and appearance of added defendant No. 03 and then injunction hearing in ex-parte.

Dictated & Corrected by me

Sd/-

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(Anubhov Kanjilal)
Civil Judge (Jr. Divn.)
1st Court, Burdwan.
(UID : WB01523)

