

Title Suit/68/2026

Present : Ankana Roy,
Civil Judge (Jr. Divn.),
Nabadwip, Nadia (In-charge)
JO Code WB01583

Prabir Hosen Vs. Gopal Sk and other.

Order No. 02

Date 22.05.2026

Today the record is put up on the strength of put up petition.

Ld. Advocate for the plaintiff moves the ad-interim injunction petition U/o 39 R 1 and 2, Section 151 of CPC.

The record is sent to the Sheristadar for caveat noting who gives a report stating no caveat being pending.

As such the record is taken up for hearing the ad-interim injunction petition.

Ld. Advocate for the plaintiff stated that the suit property situated at Mouza No. 9, Bamanpukur, Nabadwip originally belonged to several recorded tenants, who acquired the same by settlement from the then Jamindar and whose names were duly recorded in the ROR. After their deaths, their respective heirs inherited and possessed the property according to Mohammedan law. Through subsequent inheritance, gift and transfer different portion of the property devolved upon proforma defendant. Thereafter, by a registered deed of gift being No. 9478/2025 dated 06.09.2025, certain cosharers transferred their shares to defendant No. 7 and subsequently by a registered Sale Deed being No. 9477/2025 dated 16.09.2025, Motbul Sk, Manju Raheman Sk, Minu Bewa @ Minu Bibi Bewa and Rina Bibi Sk sold their respective shares in the suit property to the plaintiff and delivered the possession as well. Pursuant to which the plaintiff's name was recorded in LR Khatian No. 10566. The plaintiff alleges that while he has been peacefully possessing the suit property, defendant No. 1 and 2 attempted to forcibly entered into the suit property without having any right, title or interest, in November 2025 and February and March, 2026. The defendant threatened the plaintiff to dispossess him from the suit property which has compelled the plaintiff to file the present suit.

Today, plaintiff has filed some documents supported by firisti. Perused and considered the same. Let these documents be kept with the case record.

Heard the Ld. Advocate for the plaintiff.

Perused the application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure read with Section 151 of the Code along with the documents filed.

Considering the above facts and circumstances, the court is of the opinion that, the plaintiff has prima facie case and balance of convenience and inconvenience weighs in his favour and if the adinterim injunction is not granted to the plaintiff, the plaintiff shall suffer irreparable injury. Therefore, the court is inclined to allow the prayer of the plaintiff at this adinterim stage.

Hence, it is

Ordered

that the prayer for ad-interim injunction is considered and allowed at this stage.

The defendants are hereby restrained from disturbing the peaceful possession of the plaintiff over the suit property i.e. 1.57 decimals of land under Mouza No. 9, Khatian No. 10566, till the next date of hearing i.e. 29.06.2026.

Plaintiff to comply with the provisions of Order 39, R. 3 (a) and (b) of the CPC at once *Issue*
notice upon all the defendants calling upon them to show cause within 14 days from the date of receipt of notice as to why the order of temporary injunction shall not be passed against them.

Requisites at once.

To 29.06.2026 for S/R and S/C.

Return the originals.

D & C by me,

Sd/- Ankana Roy
Civil Judge(Junior Division)
Nabadwip, Nadia