

CNR NO. MHGA090012862023



**IN THE COURT OF CIVIL JUDGE (JUNIOR DIVISION), CHAMORSHI**  
(Presided Over by Diksha D. Vighne)

**Regular Civil Suit No. 50/2023**

Ganesh Surendranath Mandal ----- **Plaintiff**

**-Versus-**

Bimal Kanhayya Sen+2 ----- **Defendants**

-----  
**Appearance:-** Advocate for Plaintiffs :- Shri. K. R. Mhashakhetri  
-----

**Order Below Exh. 05**  
(Passed on 21/12/2023)

This is an application for grant of ad-interim temporary injunction to restrain defendants themselves or through their agent or their family member or any other person from disturbing the plaintiff peaceful possession of suit property.

2. Perused application and heard learned advocate Shri. K. R. Mhashakhetri on behalf of plaintiff. It is seen from the documents i.e. document no.1 Extract 8 and document no. 2 and 3 i.e. house tax receipt of house no. 140 that plaintiff is in possession of house property no 140. It is submitted by learned advocate for plaintiff that defendants are trying to dispossessed plaintiff from his house property. If the ad-interim temporary injunction is not granted to prevent defendants from obstructing the possession of plaintiffs then plaintiffs will be dispossessed from his owner property. On perusal of application and documents i.e. Extract 8 and document no. 2 and 3 i.e. house tax receipt of house no. 140 it is seen that plaintiff is in possession of house property no. 140. At present if ad-interim injunction is not granted then

plaintiff may get dispossessed from the suit property and it will caused irreparable loss to the plaintiff. Thus, at present the acts of defendants required to be restrained till further order. Thus, I pass following order.

**ORDER**

1. Ad-interim temporary injunction is granted in favour of plaintiffs till next date.
2. Defendants or any other person on their behalf are temporarily restrained from obstructing the possession of plaintiffs over house property no. 140 till next date.
3. Issue show cause notice to defendants as to why temporary injunction should not be granted against them.
4. Plaintiffs are directed to file affidavit as per Order XXXIX Rule 3 (a) of C.P.C.
5. E.P. and S.B. is allowed, if required, returnable on 06-01-2024.

Date: 21.12.2023

Sd/-  
(Diksha D. Vighne)  
Jt.Civil Judge (Jr. Dn.),  
Chamorshi