

T.S. 143 of 2022
CNR – WBUD08-000354-2022
JO code WB01547

Order no.18
13.08.2024

Today is fixed for hearing of the injunction application filed by the plaintiff under order 39 rules 1 and 2 of the Code of Civil Procedure.

Plaintiff and defendants have filed their respective haziras.

State Defendant filed vacating petition against the order no.09 dated 09.10.2023.

The plaintiff did not raise formal objection. Accordingly, the order no. 09 dated 09.10.2023 is vacated against the State Defendant.

Later on,

Now the record is taken up for hearing of injunction application filed by the plaintiff under order 39 rules 1 and 2 of the Code of Civil Procedure.

Learned Advocate for the plaintiff submitted that the suit property originally belongs to the Munshi Murmu who was the recorded tenant of the suit property and after her it devolves upon her only daughter Rani Murmu who is the plaintiff of this suit and since then the plaintiff has been in possession over the schedule suit plots.

It is further alleged by the plaintiff that the defendants 3rd party on 24.08.2022 came over the suit property to dispossess the plaintiff on the ground that LRROR has been recorded in the name of the defendant 1st party and threatened the plaintiff with dire consequences. In such situation, the plaintiff has filed this instant suit and prays for an order of temporary injunction restraining the defendants, from entering or interfering with the peaceful possession of the plaintiff over the suit property.

Ld. Advocate on behalf of the defendants filed their written statement and denied the all alleged facts stated by the plaintiff. Both of the parties prayed for the status quo order till the further disposal of the suit over the suit plot.

Heard both sides and considered.

After hearing the submission of the both sides and perusal of the record it has been found that the prima facie made out which will be argued at the time of the trial and on prayer for status quo order of both the parties, I am of the view that it is necessary to pass an status quo order over the suit plots.

Hence, it is,

Ordered

that the both the parties is hereby directed to maintain the **status quo** on consent in respect of the suit property with regard to nature, character, and possession of the suit property till the disposal of this suit.

To **21.09.2024** for filing W.S. and S.R.

D/C by me,

Civil Judge (Jr. Division)
Islampur, Uttar Dinajpur

Civil Judge (Jr. Division)
Islampur, Uttar Dinajpur.