

**Order Below Exh. 21 in RCS No.378/2022.**

(Vasanti vs. Dilip.)

1. The plaintiff filed present application. She submitted that, the suit is listed on yesterday's board and at that time she filed application at Exh.19 for appointment of court commissioner in respect of sugarcane crops in the suit property. The defendant received the copy of Exh.19 and thereafter, he on last night cut 15 to 20 ton sugarcane crops and sent to the sugar factory. He knew about the application Exh.19 but then also he cut sugarcane crops and sent to sugar factory. At present in half of the suit property sugarcane crops are there, if defendant is not restrained then he will dispose off entire sugarcane crops. Hence, she submitted that till decision on Exh.19 the defendant be restrained from disposed of the remaining sugarcane crops in the suit property.

2. Read the application. Perused the documents. Heard learned Counsel for the plaintiff. As per the request of plaintiff suit is taken on today's board. The defendant and his advocate are not present. The plaintiff has apprehension that, the defendant will disposed off remaining sugarcane crops in the suit property. She also filed affidavit and some photographs along with present application. The defendant are aware that, the plaintiff filed application for appointment of court commissioner in respect of sugarcane crops in the suit property. But then also defendant cut 15 to 20 ton sugarcane crops from the suit property. It appears that, the defendant is going to dispose off entire sugarcane crops from

the suit property. Hence, in my view, it became necessary to restrain the defendant from doing said act. However, at present the defendant is not before this Court. Hence, without hearing him it will not proper to grant ad-interim ex-parte injunction in favour of the plaintiff. However, considering the above facts and circumstances, instead of issuing ad interim ex parte injunction in favour of the plaintiff, it would be proper to pass status-quo order in respect of sugarcane crops from the suit property. Hence, following order:

O R D E R

1. The plaintiff as well as the defendant is hereby directed to maintain **status-quo** in respect of sugarcane crops in the suit property till 21.12.2022.
2. The plaintiff is directed to deliver or to send the copy of this application along with present order to the defendant.
3. If the plaintiff failed to supply copy of this order to the defendant, then she cannot be allowed to take advantage of this order if the order is not obeyed by the defendant.

Date: 14.12.2022.

(K. M. Chandaliya)
6th Civil Judge, Jr. Division,
Islampur.