

Title Suit No. 1712 of 2026
(CNR No.WBCC01-010990-2026)

Present: Sri Sanjoy Kumar Das, Judge, Bench-V (WB00627)
Order No.02 // dated 07.08.2026

The record is take up today in view of the put up petition filed by the plaintiff since the plaintiff filed an injunction application today and wants to move the same with an ad-interim prayer.

As per note no caveat is pending till date.

Heard Ld. Advocate for the plaintiff in respect of injunction application.

Perused the injunction application along with its annexures and also the plaint.

Plaintiff filed this suit for declaration and permanent injunction against the defendant which was registered as Title Suit no. 1712 of 2026.

Having heard the learned Advocate of the plaintiff and on perusal of the plaint, petition under Order XXXIX Rules 1 and 2 of the C.P.C. and the documents annexed thereto, it appears that the plaintiff has acquired the suit vehicle described in the schedule of the petition with the financial assistance of total Rs. 7,63,500/- (including interest) provided by the defendant with a stipulation to repay the same 59 equal monthly installments of Rs.17680/- commencing from 02.12.2021.

Plaintiff contended that till June, 2026, he paid Rs.7,95,600/- out of the total amount. It is the further case of the plaintiff that defendant threatened him on 20.06.2026 to take the possession of the vehicle forcefully. Hence this suit and injunction application.

On perusal of the document annexed with the petition, it appears that the plaintiff has admittedly made some default in payment of monthly installments though he has paid substantial sum and if the possession of the vehicle is taken by the defendant without due process of law, plaintiff will suffer irreparable loss and injury. Hence plaintiff has able to prove his prima facie case. Balance of convenience and inconvenience also weighs in favour of the plaintiff. Plaintiff has urgency too.

Accordingly it is,

ORDERED

that the defendant and his men and agents are hereby restrained from taking possession of the vehicle bearing Registration No.WB-19L-0109 without due process of law till the next date fixed subject to **payment of default EMIs and regular EMI in terms of the loan agreement** i/d this ad-interim order of injunction will be vacated automatically after expiry of 07.09.2026.

Plaintiff is directed to comply provision of Order XXXIX Rule 3(a) and 3(b) of C.P.C.

Fix **07.09.2026** for S/R, A/D and appearance.

Requisites at once.

D/c by me,

Judge, Bench-V
City Civil Court, Calcutta

Judge, Bench-V
City Civil Court, Calcutta