

Later

Dtd. 30.09.2022

Heard the petition praying for the order of the ad interim injunction.

No caveat is pending by the defendant side as per the report of Sheristadar. Perused the plaint, injunction petition and materials on record.

After considering the facts and circumstances of the instant case, the materials available on record and the submission of the Ld. Advocate, this Court is of the opinion that it is essential to hear the defendant side by giving them an opportunity of being heard. However, since the plaintiff side has established the prima facie case in their favour and due to the urgency established that if the injunction is not granted, the plaintiff side would suffer irreparable loss and injury beyond monetary relief, the parties should maintain status quo accordingly at this stage. The order of status quo would not prejudice either side at this stage.

Hence, it is

ORDERED

that both the parties i.e. the plaintiffs and the defendant should maintain status quo in connection with the second schedule property till **30.11.2022 (due to intervention of puja vacation).**

Issue notice upon the defendant to show cause within 15 days from the date of receipt of the notice as to why the plaintiffs' prayer for temporary injunction shall not be granted.

Plaintiffs are hereby directed to comply the provision U/O 39 Rule 3(a) and 3(b) at once and submit affidavit of compliance on the next working day of this Court.

D.C. by me.

Civil Judge (Jr. Divn.), 1st Court,
Barasat, North 24 Parganas
WB01471

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