

Later

dated 30.09.2022

Hd. the prayer of ad interim injunction.

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

Learned Advocate for the plaintiffs side stated that the plaintiff no. 12 became the owner of the schedule property by virtue of purchase. The plaintiff no. 1 executed a power of attorney in favour of the plaintiff nos. 2 to 11. The defendants are forcefully trying to disturb the peaceful possession of the suit property and trying to dispossess them from the same.

Considering the materials on record, the document as filed therein, the submission of the Learned Advocate, this Court is of the view that the plaintiff have been able to establish his case prima facie and the balance of convenience and inconvenience is also in his favour. Moreover, if the defendants not prohibited at this stage then the plaintiff would suffer irreparable loss and injury beyond monetary relief. Hence, considering the urgency in the matter this Court is inclined to allow the prayer of ad interim injunction.

Hence, it is

ORDERED

that the defendants are restrained from dispossessing the plaintiffs from the suit property till **30.11.2022 (due to intervention of puja vacation)**.

Issue notice upon the defendants 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 allowed.

Plaintiffs are hereby directed to comply provisions U/O 39 Rule 3(a) and 3(b) at once.

D.C. by me.

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

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Barasat, North 24 Parganas