

Later

dated 31.10.2022

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 plaintiff side stated that he became the owner of the A schedule property by virtue of purchase. The defendants are adjacent plot holders. Without having any right, title or interest upon the disputed property, the defendants are trying to enter into the property of the plaintiff. The defendants have also threatened the plaintiff with dire consequences.

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

O R D E R E D

that the defendants are restrained from disturbing the peaceful possession of the plaintiff upon the A schedule property and / or from dispossessing the plaintiff from the same till **06.12.2022**.

Issue notice upon the defendants to show cause within 15 days from the date of receipt of the notice as to why the plaintiff's prayer for temporary injunction shall not be allowed.

Plaintiff is 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