

T.S. 64 / 17 (Reg. No. 06 / 18)
Present : Smt. Jyotsna Roy (J. O. Code WB00933)

Order no.51 dated 12.12.2022

Today is fixed for hearing injunction petition, objection, if any, in the meantime.

Now, the record is taken up for hearing injunction petition dated 05.08.2022.

The record shows that the schedule suit property is Ejmal in nature and the same has not been partitioned between the parties. After receiving notice, defendants appeared before this court. It is also stated by the plaintiff that during pendency of the suit, defendants are trying to sale out some portions to some miscreants for construction on the scheduled suit property. It is also stated by plaintiff that due to such overt act, nature and character will be changed and plaintiff surely shall suffer irreparable loss and injury and in the case in hand balance of convenience and inconvenience tilts in favour of plaintiff.

Ld. Counsel appearing on behalf of the defendants submits that as the suit is a partition suit, so question of share is the moot question of the suit. Regarding ownership and possession of the contesting parties, there is no denial, so, Ld. Counsel of the defendants submits if an order of status-quo is being passed in connection with this suit, in that case, they do not have any objection.

Considering the no objection of the defendants, let there be an order of status-quo in respect of the suit property.

For that it is found expedient that the plaintiffs and the defendants should be directed to maintain *status quo* in respect of scheduled suit property till the hearing of the temporary injunction.

Hence, it is,

ORDERED

that the plaintiffs and defendants are hereby directed not change the nature and character of the schedule suit property and not to create any third party interest over the suit property till 23.12.22.

Both the parties to this suit are hereby directed to maintain *status quo* in respect of the schedule suit property.

Fixing 08.02.23 for P.H.

Dictated and corrected by me

Civil Judge (Sr. Divn.), Bishnupur.

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