

T.S. 11 / 22 (Reg. No. 11 / 22)
CNR No. WBBK07-000041-2022
Present : Smt. Jyotsna Roy (J.O. Code WB00933)

Later,
Dated 22.03.2022

Record is put up as per put up petition filed by plaintiff.

One petition filed by plaintiffs praying for ad-interim temporary injunction under Order 39 Rule 1, 2 and 3 read with Section 151 CPC against defendant no. 1.

Ld. Advocate for the plaintiff submits that let the prayer for the ad-interim injunction be disposed of on this day.

As such ad-interim application is moved by Ld. Advocate of the plaintiff.

Heard the Ld. Advocate for the plaintiff at due length and in full.

This is a suit for declaration and partition.

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Perused the instant application.

The record shows that plaintiff has eight anna share in the suit schedule Bastu property and the rest share belongs to defendant no. 1 and 2 and the fact remains that the suit property remains Ejmal. The suit property originally belonged to Satkari Dutta, Saktipada Dutta and others and they used to possess the same in Ejmal. They jointly executed and registered a partition deed being no. 4310 / 1975 and by virtue of which Satkari Dutta, father of the plaintiff had acquired the suit property in 16 annas share and the same had to be stated in Kha schedule to the partition deed as stated above. That LRROR in the name of the plaintiff has only been recorded in LR khatian no. 1922 of Mouza- Shyambazar.

The plaintiff has been able to prove the prima-facie case by producing relevant documents in support of the instant application.

For that it is found expedient that the plaintiffs and the defendant nos. 1 and 2 should be directed to maintain *status quo* in respect of suit property till the hearing of the temporary injunction.

Hence, it is,

ORDERED

that the plaintiffs and defendant nos. 1 and 2 are hereby directed not to change the nature, character of the suit property till 07.04.2022.

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

Issue notice upon defendant nos. 1 and 2 to show cause within 15 days from the date of receipt of notice as to why the prayer for temporary injunction shall not be granted as prayed for by plaintiffs.

Plaintiff is to comply with the provisions of order 39 rule 3 (a) and (b) CPC within 24 hours failing which the order shall be recalled.

Plaintiff to file requisites forthwith.

Dictated and corrected by me
Sd/- J. Roy
Civil Judge (Sr. Divn.),
Bishnupur.

Sd/- J. Roy
Civil Judge (Sr. Divn.)
Bishnupur.

Later,

Photocopies of the documents are compared with the original documents. Let the original documents be handed over to the Ld. Advocate of the plaintiffs.

Dictated and corrected by me
Sd/- J. Roy
Civil Judge (Sr. Divn.),
Bishnupur.

Sd/- J. Roy
Civil Judge (Sr. Divn.)
Bishnupur.