

Title Suit No. 52 of 2025
CIS No. 52 of 2025
CNR No. WBBK07-000083-2025
Present : Sri Tanumoy Karmakar (J.O. Code: WB01209)

Order no. 10
Dated 03-08-2026

Today is fixed for awaiting S/R and AD in respect of defendant no. 2, 7 and 9 to 12 and hearing of temporary injunction application.

Memorandum of appearance filed by the plaintiffs.

No S/R has been received yet in respect of defendant no. 2, 7 and 9 to 12.

Moreover, the record does not whisper pertaining to the service upon defendant no. 6 and 22 to 26.

Therefore, plaintiffs are directed to file fresh requisites in respect of defendant no. 2, 6, 7 and 9 to 12 as well as 22 to 26, in the meantime.

It is also pertinent to mention here that defendant no. 1, 3 to 6, 8, 14 to 21 appeared on 04-12-2025 and inspite of ocean of chances, they failed to file W/S within stipulated period of time as prescribed under Order 8 Rule 1 of the CPC. Accordingly, the instant suit was fixed for ex parte hearing against defendant no. 1, 3 to 6, 8, 14 to 21 vide order no. 7 dated 01-06-2026.

However, for typographical mistake it has not been mentioned that in the instant suit is proceeding as ex parte against defendant no. 14 to 21 and only defendant no. 14 was written there. It is also apposite to mention here that defendant no. 15 to 21 have not appeared after 01-06-2026.

Considering the above noted aspects, the last portion of order no. 07 dated 01-06-2026 was recalled by invoking provisions as laid down under Section 151 of the CP.C. Therefore, the order no. 7 dated 01-06-2026 was partly modified and it should be read as 'the instant suit is proceedings as ex parte against defendant no. 14 to 21.

In this context, it is pertinent to mention here that the ad interim order of injunction was prevailing against the defendant no. 1 and the suit is proceeding as ex parte against defendant no. 1 since 01-06-2026.

Therefore, considering the material available in record and considering the document submitted by the plaintiffs during the hearing of ad interim injunction application and considering the views as expressed by this Court vide order no. 02 dated 22-04-2025, I have no impediment to allow the prayer of the plaintiffs.

Accordingly, the order of ad interim injunction is hereby made absolute.

Thus, defendant no. 1, his men, agents and associates are hereby restrained from changing the nature and character of the suit property as mentioned in the schedule of the plaint in any manner whatsoever till the disposal of the suit.

However, all the parties are directed to maintain status quo in regard to their respective possession as mentioned in the order no. 2 dated 22-04-2025, till the disposal of the suit.

In a sequel of this order, the order of police help pertaining to the maintaining of injunction is also made absolute.

Fix **13-10-2026** for S/R and AD in respect of defendant no. 2, 6, 7 and 9 to 12 as well as 22 to 26

Update CIS accordingly.

Dictated & Corrected by me.

Civil Judge (Sr. Divn.), Bishnupur

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