

T.S. 99 / 22 (Reg. No. 99 / 22)

Present : Smt. Jyotsna Roy (J.O. Code WB00933)

Order no. 02 Dated 23.11.22

Record is put up on the strength of put up petition filed by plaintiffs on this day.

One petition filed by plaintiffs praying for ad interim injunction under Order 39 Rule 1, 2 and 3 read with Section 151 CPC on 17.11.22.

Ld. Advocate for the plaintiffs 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 plaintiffs.

Perused the instant application.

The record shows that the plaintiffs are the owners of suit plot 3094 corresponding RS plot no.4908, LR Khatian no.1991, 1992, Gopalnagar mouza, JL no.76, Joypur Block, P.S. Joypur, Sub Division Bishnupur, Dist. Bankura which plaintiffs have title, right, interest and possession.

That during Khas possession of erstwhile owners plaintiffs had purchased suit plot stated in the schedule below and presently plaintiffs have Khas possession over the suit. It is also stated by plaintiffs that erstwhile owners namely, Gunakar Lohar, Montu Lohar, Dasu Lohar, Baul Lohar, all are sons of Late Rampada Lohar had sold 40 satak to plaintiffs through registered Bikroy Kowala deed being no.1371 on 17.05.2004, before ADSRO, Bishnupur, Dist. Bankura. Thereafter, plaintiffs had purchased 30 satak from Sudhir Lohar and Prafulla Lohar, both are sons of Late Nirod Lohar, through registered Bikroy Khosh Kowal being no.I (1) 2596 before ADSRO, Bishnupur. It is also stated by plaintiffs that their names have duly been recorded in LRROR. It is also stated that defendants are strangers to the suit plot and they have no right, title, interest and possession over the same. Defendants without just cause had trespassed on 14.11.22 in the suit plot and also intimidated to change nature and character of the suit plot to dispossess plaintiffs.

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

Perused the documents and this court finds it most important to preserve the nature and character of the suit property.

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 scheduled 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 change the nature and character of the schedule suit property till 08.12.2022

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

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

Plaintiffs to file requisites forthwith.

Dictated and corrected by me

Civil Judge (Sr. Divn.), Bishnupur.

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

Civil Judge (Sr. Divn.), Bishnupur.

Civil Judge (Sr. Divn.), Bishnupur.