

Title Suit No.425 of 2026.

**Present:- Sri Sanjay Kumar Das,
Judge, Bench-V (J.O. Code : WB00627)**

Order No.02 // dated 12.02.2026

Plaintiffs also filed an application under Order 39 Rule 1 and 2, read with section 151 of the C.P.C. with a prayer for ad-interim temporary injunction.

No Caveat has been filed as reported by the Office till this date.

The application under Order 39 Rule 1 and 2, read with section 151 of the C.P.C. is taken up for hearing.

Heard the Ld. Advocate for the Plaintiffs. Perused the petition along with the annexed documents, as well the plaint.

The Plaintiffs case in brief is that they are the owner of the suit premises. One Birendra Nath Bhattacharjee (since deceased) was the Proprietor of M/s. S.A. Halim & Company and was the recorded tenant in respect of the suit property. Birendra Nath Bhattacharjee died intestate on 31.10.1983 leaving behind one son and two daughters. One of the daughter is Smt. Snigdha Chakraborty, who is the Defendant in the instant case. It is the further case of the Plaintiffs that Ranjit Kumar Bhattacharjee, son of Late Birendra Nath Bhattacharjee during his lifetime was carrying tailoring business in the suit premises in the name of style of M/s. S.A. Halim & Company. Ranjit Kumar Bhattacharjee died on 09.07.2020. After his death, the suit premises has been kept under lock and key.

On 27.11.2025, around 7-00 p.m., some unknown person along with Defendant tried to trespass into the suit premises. Accordingly, Plaintiff No.3 lodged a complaint before the Park Street P.S. It is the allegation of the Plaintiff that the Defendant is in hand in glove with Rajesh Gupta, Subhas, Sanjay and others for making structural changes of the suit premises. Hence, the suit.

So, the Plaintiff by filing the above application under Order 39 Rule 1 and 2 of C.P.C. prayed injunction against the Defendant with an ad-interim prayer.

Having regard to the documents annexed with the Injunction Application and the facts and circumstances of the case, this Court is of the opinion that Plaintiffs have able to establish their prima-facie case. Balance of convenience and inconveniences are also in favour of the Plaintiffs. Apart from that, Plaintiffs have urgency, otherwise the object of filing injunction application will be frustrated.

Contd.

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Hence, it is,

ORDERED

that Defendant is hereby restrained from parting with the possession of the suit property till 12.03.2026.

Plaintiffs are directed to comply with the provisions under Order 39 Rule 3(a) and (b) C.P.C.

Fix 12.03.2026 for S/R, A/D and appearance.

Dictated & corrected by me,

Judge.

Judge, Bench-V,
City Civil Court, Calcutta.