

Title Suit No. 919 of 2025 (CNR WBCC01-7602-2025)

Present: Sri Subhash Kumar Kar, Judge, Bench-V (WB00592)

Order No.02/ Dated 22.05.2025

Record is put up today on the prayer of the plaintiff.

Plaintiff has filed one application under Order XXXIX Rules 1 & 2 read with section 151 of C.P.C.

From the office report, it appears that no caveat has been lodged till date.

An application under Order XXXIX Rules 1 & 2 read with section 151 of C.P.C. is moved today by the Ld. Advocate for the plaintiff.

Having heard the Ld. Advocate and on consideration of the plaint, petition under Order XXXIX Rules 1 & 2 read with section 151 of C.P.C and documents annexed thereto it appears that plaintiff is a tenant under the defendants at a monthly rent of Rs.300/- payable according to English Calendar month in respect of the suit property which is a godown and originally he was a tenant under one Mojibur Rahman, the father of the defendants and after his death his four sons the defendants herein inherited the suit property and it was settled that defendant no. 2 would collect rent from the plaintiff and accordingly plaintiff continued to pay the rent and in the month of April, 2025, it came to his knowledge that the defendants are planning to develop the suit property without any negotiation with the plaintiff and they have not taken any objection from the plaintiff and they are threatening him to dispossess from the suit property and it is prayed to pass an ad-interim order of temporary injunction in terms of the prayer.

On perusal of the rent receipts annexed with the petition, it appears that the rent has been paid upto the month of April, 2025 and having regards to the prima facie possession of the plaintiff in respect of the suit property, let there be an ad-interim order of temporary injunction directing the parties to maintain status-quo as to the nature, character and possession of the suit property as on today till the next date fixed.

Issue notice upon the defendants directing them to show cause within 15 days, as to why an order of temporary injunction shall not be granted against them in terms of the prayer so made by the plaintiff.

Fix 20.06.2025 for S/R, A/D and appearance.

Requisites be issued at once.

D/c by me,

Judge, Bench-V
City Civil Court, Calcutta

Judge, Bench-V
City Civil Court, Calcutta