

Title Suit No. 1235 of 2026
(CNR No.WBCC01-008639-2026)
Present: Sri Sanjoy Kumar Das, Judge, Bench-V (WB00627)
Order No.02 // dated 18.06.2026

The record is take up today in view of the put up petition filed by the plaintiff since the plaintiff filed an injunction application today and wants to move the same.

As per note no caveat is pending till date.

Heard Ld. Advocate for the plaintiff in respect of injunction application.

Perused the injunction application along with its annexures and also the plaint.

Plaintiff filed this suit for declaration and permanent injunction against the defendants which was registered as Title Suit no. 1235 of 2026.

Having heard the learned Advocate of the plaintiff and on perusal of the plaint, petition under Order XXXIX Rules 1 and 2 of the C.P.C. and the documents annexed thereto, it appears that the plaintiff has acquired the suit vehicle described in the schedule of the petition with the financial assistance of Rs. 21,70,000/- provided by the defendant with a stipulation to repay the same 59th monthly installments of Rs.51,200/- commencing from 15.01.2024. Plaintiff paid 30 installments to the defendant amounting to Rs.15,36,000/-. Plaintiff paid last EMI of Rs.51,200/- on March, 2026 and remaining installments till date are due and for such default the defendant is threatening to repossess the vehicle forcibly and it is prayed to pass an ad-interim order of temporary injunction in terms of prayer of the petition.

On perusal of the document annexed with the petition, it appears that the plaintiff has admittedly made some default in payment of monthly installments though he has paid substantial sum and if the possession of the vehicle is resumed by the defendant without due process of law, plaintiff will suffer irreparable loss and injury. Hence plaintiff has able to prove his prima facie case. Balance of convenience and inconvenience also weighs in favour of the plaintiff. Plaintiff has urgency too.

Accordingly it is,

ORDERED

that the defendant and his men and agents are hereby restrained from taking possession of the vehicle bearing Registration No.WB-19L-8183 without due process of law till the next date fixed subject to payment of default EMIs and regular EMI in terms of the loan agreement.

Plaintiff is directed to comply provision of Order XXXIX Rule 3(a) and 3(b) of C.P.C.

Fix **17.07.2026** for S/R, A/D and appearance.

Requisites at once.

D/c by me,

Judge, Bench-V
City Civil Court, Calcutta

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