

Title Suit No. 2018 of 2024 (CNR WBCC01-0935-2024)

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

Order No.01/ Dated 02.12.2024 (Later)

The 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 filed till this date.

The ad-interim injunction application is moved today by the Ld. Advocate for the plaintiff.

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 admittedly the plaintiff has availed a loan advanced by the defendant for acquiring a vehicle bearing Registration No.WB-37E-4725 and it is also admitted that the defendant has resumed the possession of the suit vehicle as the plaintiff did not adhere to the financial discipline set out in the loan agreement and it is prayed to pass an ad-interim order of injunction restraining the defendant from creating any third party interest on the suit vehicle.

On perusal of the documents annexed to the petition it appears that the defendant has resumed the possession of the suit vehicle on 09.11.2024 by its agents without following any procedure established by law and since the plaintiff has invested a substantial sum for acquiring the suit vehicle, let there be an ad-interim order of status-quo as to the nature, character and possession of the suit vehicle as on today till the next date.

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.

Plaintiff to comply the provisions of Order 39 Rule 3(a) & (b) of the C.P.C.

Fix **06.01.2025** for S/R, A/D and appearance.

Requisites be filed at once.

D/c by me,

Judge, Bench-V
City Civil Court, Calcutta

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