

Title Suit No. 2694 of 2022 (CNR WBCC01-014234-2022)

Present : Sri Subhasis Ghosh, Judge-in-Charge, Bench-II (J.O. Code: WB00579)

Order No. : 02

Dated : 23.12.2022

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

Plaintiffs have filed one amendment application.

The said amendment application is taken up for hearing.

Heard the Ld. Advocate for the plaintiffs with reference to the amendment application.

The proposed amendment is formal in nature and the same will not change the nature and character of this suit and consequently, the petition for amendment filed on this date by the plaintiffs is considered and allowed.

Let, the plaint of this case be amended as per schedule of the instant application.

Plaintiffs to file the amended plaint at once.

Dictated and corrected by me,

Judge-in-Charge, Bench- II

Judge-in-Charge, Bench- II  
City Civil Court , Calcutta

Later,

Order No. : 03

Dated : 23.12.2022

Thereafter, record is taken up for hearing ad-interim injunction prayer.

Plaintiffs file amended plaint.

Ld. Advocate for the plaintiffs moved the ad-interim injunction prayer.

From the office report it appears that no caveat has been filed till this date.

Perused the injunction application, its enclosures and the case record.

Considered.

Issue notice upon the defendants, directing them to showcause by **17.01.2023**, as to why an order of temporary injunction shall not be recorded against them in terms of the prayer so made by the plaintiffs.

It is submitted by the Ld. Advocate for the plaintiffs that the plaintiffs are the owner of the suit property and now, the defendants are trying to dispossess them from the suit property.

Having heard the Ld. Advocate for the plaintiffs and taking into account the entire facts and circumstances of this case, this Court has come to a conclusion that an ad-interim injunction should be passed right now against the defendants otherwise the very purpose of granting injunction would be defeated by delay and the same will invite multiplicity of proceedings. Plaintiffs have been able to make out a prima facie case in order to get ad-interim order of injunction as prayed for. Balance of convenience and inconveniences are in favour of the plaintiffs. That apart I find urgency in the matter.

Hence, it is

**ORDERED**

that the Plaintiffs' prayer for ad-interim injunction is considered and allowed, restraining

Title Suit No. 2694 of 2022 (CNR WBCC01-014234-2022)

Contd.....

Order No. : 03/Dated : 23.12.2022

the defendants from dispossessing the plaintiffs forcibly from the suit property till **17.01.2023**.

This ad-interim order of injunction will have no application, if there is any direction of the Hon'ble Supreme Court or the Hon'ble High Court in connection with the suit property and also if there is pending any execution case relating to the suit property.

Plaintiffs to comply with the provision as laid down in Order 39 Rule 3(a) & 3(b) of C.P.C.

Requisites be filed at once.

Dictated & Corrected by me.

Judge-in-Charge, Bench-II  
City Civil Court, Calcutta

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City Civil Court, Calcutta