

Title Suit No.1790 of 2025

**Present: Sri Manojyoti Bhattacharyya, Judge-in-charge, Bench-V,
City Civil Court, Calcutta
(J.O. Code: WB00392)**

Order No. 02 / Dated 20.08.2025

Plaintiff has filed an application under Order 39 Rule 1 & 2 C.P.C.

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

Ld. Advocate for the Plaintiff moved the Ad-interim injunction prayer.

Perused the injunction application which is supported by an affidavit including the documents annexed with the injunction application and the case record. Considered.

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

It is submitted by Ld. Advocate for the Plaintiff that the plaintiff has acquired the suit vehicle described in the schedule of the petition with the financial assistance of Rs.16,63,930/- provided by the defendant with a stipulation to repay the same in 58 monthly installments of Rs.35,585/- each commencing from November,2023. Plaintiff has paid a sum of Rs.7,47,285/- and there are some EMI dues. Now the Defendant Company are trying to seize the suit vehicle from the plaintiff/petitioner and if the defendant succeeds in doing so then Plaintiff will suffer from irreparable loss and injury.

Considering the prima facie case, considering the balance of convenience and inconvenience and also considering the urgency of the case, I think the prayer for ad interim injunction should be allowed.

Hence, it is

ORDERED

That Plaintiff's prayer for ad-interim injunction is hereby considered and allowed.

Defendant/Opposite Party and their men and agents are hereby directed to restrain by an order of ad interim injunction from seizing and/or taking forceful possession of the vehicle bearing No. **WB-19L-6590** as mentioned in the schedule of the instant petition from the possession of the Plaintiff/petitioner without due process of law till **19.09.2025**.

Plaintiff is directed to pay the current installment month by month within the stipulated period as per the agreement, failing which the aforesaid ad-interim injunction order will be vacated automatically.

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

Requisites be filed at once.

Fix 19.09.2025 for S/R, A/D and appearance.

Dictated & Corrected by me.

Judge-in-charge

Judge-in-charge, Bench-V
City Civil Court, Calcutta