

Title Suit No. 2175 of 2025 (CNR WBCC01-017979-2025)

Present : Sri S. Dasgupta (J.O. Code: WB01246)

Order No. : 02

Dated : 22.09.2025

The plaintiff has filed an application under Order 39 Rule 1 & 2 read with section 151 of the 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.

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

It appears from the petition praying for ad-interim injunction that the plaintiff is apprehending that the vehicle having **Registration No. WB-51B-8982** might be forcibly seized by the defendant at any moment. The plaintiff has stated that the plaintiff has paid an amount of Rs. 4,14,000/- to the defendant against the loan amount of Rs.17,30,800/- and that one installment is due. The plaintiff has stated that the plaintiff is ready and willing to pay the due amount. The plaintiff has further stated that the said vehicle is the source of his livelihood. The plaintiff has stated that despite the above position, the defendant tried to interfere with the plying of the said vehicle by the plaintiff. The plaintiff has further alleged that on 12.09.2025, the defendant issued telephonic threats from his office to seize the said vehicle forcibly from the custody of the plaintiff.

Having heard the Ld. Advocate for the plaintiff and taking into account the entire facts and circumstances of this case, this Court has come to the conclusion that an ad-interim order of injunction in the form of **status quo** should be passed right now, otherwise the very purpose of granting injunction would be defeated by delay and the plaintiff will suffer from irreparable loss and injury, which cannot be compensated by monetary value. The plaintiff has 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 inconvenience are in favour of the plaintiff. That apart, I find urgency in the matter.

Hence, it is

ORDERED

that the plaintiff's prayer for ad-interim injunction is considered and allowed, directing both the parties i.e. the plaintiff and the defendant to maintain **status quo** over the said vehicle being **Registration No. WB-51B-8982** as on this date in all respects till **20.11.2025 (due to intervening annual/puja vacation)**.

Issue notice upon the defendant, directing them to showcause 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 is also 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 by this Court.

It is pertinent to mention here that if any suit, relating to the suit vehicle, was filed earlier before this Court or is pending before this or any other Court prior to the date of this order, the aforesaid ad-interim injunction order will be vacated by this Court.

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

Fix **20.11.2025** for S/R, A/D and appearance.

Requisites be filed at once.

D/c by me,

Sd/-
Judge, Bench-III,
City Civil Court, Calcutta.

Sd/-
Judge, Bench-III,
City Civil Court, Calcutta.