

In the Court of Civil Judge (Jr. Divn.) Gangarampur at Buniadpur

Present: Debasish Barman

Civil Judge (Jr. Divn.)

J.O. Code: WB1104

P.S. 10 of 2026, Regd. No.- 10 of 2026

CNR No. WBDD07-000053-2026

Later,

Date: 31-01-2026

As per the report of the Shreistedar, no caveat has been filed in this suit against the present application or otherwise.

The record is taken up for hearing of the ad-interim prayer of the injunction application. Heard ld. Advocate on behalf of the petitioner.

Perused the said application and other materials on record. Ld. Adv. of the plaintiff submitted that the plaintiffs are the owner and possessor of the suit property. Defendants are the co-sharer of the suit property. The suit property has not been partitioned by metes and bounds. Plaintiff approached defendants several times for amicable partition to which the defendants paid no heed. Finding no other alternatives, the Plaintiffs have filed the instant suit before this Court to restraint the Defendants from disturbing the peaceful possession, hence, the suit with a prayer for passing ad-interim injunction against defendants under the instant petition in hand u/O 39 Rule 1 (a)(b)(c) read with section 151 of the CPC.

The Plaintiffs have filed some photocopies of documents in favour of their contentions and other relevant documents as mentioned in the schedule of the plaint.

This Court perused the petition and photocopies of documents which have been filed by the plaintiff. The plaintiff has the prima facie case. The Court further finds that if the ad-interim injunction is not granted then plaintiff will suffer irreparable loss and injury. The balance of convenience and inconvenience lies at this stage in favour of the plaintiff.

Hence it is,

ORDERED

that the prayer for ad-interim injunction against defendant Nos. 1 and 2 is considered and allowed.

Parties are directed to maintain status quo over the suit property with regard to nature and character of the same as it stands today till next date.

The defendant is directed to show cause within 15 days of the receipt of the notice to show cause as to why the temporary injunction shall not be granted against the defendants.

Plaintiff is directed to comply with the provision Order XXXIX Rule 3(a) and 3(b) of CPC at once.

The plaintiff is directed to file the requisite at once.

Todate for the S/R, Appearance of the defendants and written objection and hearing of temporary injunction.

D/C by me

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