

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

**Present: Debasish Barman**

**Civil Judge (Jr. Divn.)**

**J.O. Code: WB1104**

**T.S 78 of 2025, Regd. No.78 of 2025**

**CNR No. WBDD07-000156-2025**

**Order No. 06**

**Dated-17-12-2025**

Today is fixed for filing W.S and W.O and hearing of injunction application.

Plaintiff Nos. 1 to 4 files hazira. Ld. Advocates of the said party is present. Plaintiff filed a petition and prayed for extension of order of ad-interim injunction on the grounds stated therein. Let it be kept with the record.

Plaintiff filed a power surrender petition on behalf of plaintiff No.5 along with a photocopy of death certificate which is misconceived as there are only four plaintiffs in this suit and there is no plaintiff with the name Jayanta Das in this suit. Hence the surrender petition filed by the Ld Advocate for the plaintiff is rejected.

Defendant Nos. 1 and 2 filed time petition for filing W.S which is considered and rejected and the stipulated time for filing W.S has elapsed. Accordingly, the suit will proceed exparte against defendant Nos. 1 and 2.

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Accordingly, the record is taken up.

Plaintiffs by filing the instant petition u/O 39 Rule 1 (a) (b) (c) read with section 151 of the CPC submitted that the plaintiffs are the owner and possessor of the suit property. The names of the Plaintiffs have been recorded in the LR Khatian in respect to the suit property as mentioned in the schedule of the plaint. Plaintiffs alleged that the Defendants are creating disturbance to the peaceful possession of the Plaintiffs over the suit property. 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 temporary injunction against defendants under the instant petition in hand u/O 39 Rule 1 (a) (b) (c) read with section 151 of the CPC.

After considering the present facts and circumstance and after perusal of the photocopies of the documents, it is forthcoming that the plaintiffs have prima facie case against the defendants and if the temporary injunction is not granted at this stage then the plaintiffs will suffer the irreparable loss and the injury. The balance of convenience and inconvenience lies at this stage in favour of the plaintiffs.

**Hence it is,**

**ORDERED**

**that the petition for temporary injunction against the defendant Nos. 1 and 2 is considered and allowed exparte.**

**Parties to the suit is directed to maintain status quo over the suit property with regard to nature, character till disposal of the suit.**

The petition for extension ad-interim Order of injunction is disposed of in the light of this Order.

Fix 16-03-2026 for **exparte evidence.**

D/C by me

Civil Judge (Jr. Div.)  
Gangarampur at Buniadpur  
Dakshin Dinajpur  
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