

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

Present: Debasish Barman

Civil Judge (Jr. Divn.)

J.O. Code: WB1104

Misc Pre 27 of 2024, Regd. No.- 27 of 2024

CNR No. WBDD07-000246-2024

Order No. 06

Dated-13-08-2025

Today is fixed for hearing of injunction application on exparte.

Petitioner files hazira. Ld. Advocates of plaintiff is present.

OP files hazira which is misconceived as the case has proceeded exparte against the OP hence the hazira is rejected.

Petitioner by filing the instant petition u/O 39 Rule 1 (a) (b) (c) read with section 151 of the CPC submitted that the petitioner is a co-sharer over case plot and his name was recorded in the LRROR. OP is stranger purchaser. The OP threatened to change the nature and character of the case property, hence the suit with a prayer for passing temporary injunction against the OP 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 petitioner have no prima facie case against the OPs and if the temporary injunction is not granted at this stage then the petitioner will not suffer the irreparable loss and the injury. The balance of convenience and inconvenience does not lie at this stage in favour of the petitioner.

Hence it is,

ORDERED

that the prayer for temporary injunction against the OP is considered and allowed exparte till disposal of the case.

Fix 12-09-2025 for Misc case hearing **on exparte**.

D/C by me

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