

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

Present: Priyanka Thapa

Civil Judge (Jr. Divn.)

J.O. Code: WB01586

T.S- 134/2026

Reg. No- 134 of 2026

CNR: WBDD07-000275-2026

02

16.06.2026

Record is put up today by way of one put-up petition.

Ld. Advocate for the Plaintiffs submit that hearing the ad-interim injunction petition at this stage is of utmost urgency, failing which, the present Plaintiff may suffer irreparable loss at the hands of the Defendants.

Considering the gravity of the prayer made by the Plaintiffs, the petition for ad interim injunction hearing under order XXXIX Rule 1 (a) (b) (c) read with section 151 of Civil Procedure Code is taken up.

As per the office report, no Caveat is being filed.

This is a suit for declaration of title and permanent injunction.

The injunction petition is taken up for consideration.

Heard Ld. Advocate for the Plaintiffs. Perused the injunction petition, materials on record and other documents filed by the Plaintiffs.

A synoptic representation of the instant petition is that the scheduled property comprising JL No. 227, plot no. 758/1322 measures an area of 30 decimals of land situated at P.S. Kushmandi, within Mouza Durgapur, District Dakshin Dinajpur. The Plaintiffs contend that they are the absolute owners in possession of the suit-scheduled property. The Plaintiffs assert that the property originally belonged to predecessors Ramani Barman, Tarani Barman, and Dharani Barman. It is stated that the Plaintiffs have a clear, legally recorded title as per the L.R. & R.O.R. records. They further assert that they have been peacefully enjoying and possessing the property without any obstruction.

The Plaintiffs allege that from the last week of May 2026, the Defendants, backed by influential local political elements, have attempted to forcibly enter the suit land, threatened the Plaintiffs with dispossession, and tried to cause damage to the property.

Ld. Advocate for the Plaintiffs moves the application for an ad-interim injunction, arguing that there is a strong prima facie case in favour of the plaintiffs. He submits that if the Defendants are not restrained immediately, the Plaintiffs will suffer irreparable loss and injury which cannot be compensated in terms of money, and the balance of convenience heavily lies in favour of protecting the status quo.

To make out a prima facie case in favour of the Plaintiffs, the Plaintiffs have produced several documentary evidences, including certified and xerox copies of L.R. Khatian Nos. 726,

229725, 724, 1343, 1345, and 1344, alongside certified copies of Deed Nos. 1095, 1096, and 1097.

Having heard and considered the submission of Ld. Advocate for the Plaintiff, and also, on going through the materials on record, I find that the Plaintiff and the Defendants are the co-sharers of the suit property. The Plaintiff claims that Defendants Nos 1-7 are trying to raise construction over his land and dispossess him of his peaceful possession. Further, the Plaintiff also claims that the Defendants are trying to change the nature and character of the suit property as described in the schedule of the plaint.

On going through the materials on record, it appears that the Plaintiffs are in possession of the suit property, which at this juncture is enough to establish a strong prima facie case in their favour. Upon careful perusal of the documents submitted by the Plaintiffs, it appears that the balance of convenience lies in their favour.

Considering the urgency of the matter, I find that if an ad-interim order of injunction is not granted in favour of the Plaintiffs, the Plaintiffs may suffer irreparable loss and injury, thereby defeat the object of the injunction petition and leading to multiplicity of suits.

Hence, it is,

ORDERED

*that the ad-interim prayer is considered and **allowed**.*

*The Plaintiffs and Defendant nos. 1-4 are directed to maintain status quo in respect of the nature and character of the suit property as mentioned in the schedule of the plaint till the **next date**.*

Issue notice upon the Defendants, directing them to show cause within fifteen days of receiving this notice as to why the prayer of the Plaintiffs for a temporary injunction should not be granted against them.

The Plaintiffs are directed to file requisites as per the provisions of Order 39 Rule 3(a) and 3(b) of the C.P.C at once.

***To date** for S/R and hearing of the injunction petition.*

Typed by me.

Civil Judge (Jr. Div.)
Gangarampur at Buniadpur

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