

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

**Present: Debasish Barman**

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

**J.O. Code: WB1104**

**P.S 43 of 2022, Regd. No.43 of 2022**

**CNR No. WBDD07-000296-2022**

**Order No. 16**

**Dated-12-09-2025**

Today is fixed for hearing and Local Inspection report.

Plaintiff, defendant No.1 and defendant Nos. 5 & 7 files hazira. Ld. Advocates of the said parties are present.

Defendant Nos. 2, 8 and 9 are absent without steps. None moved for the said defendants on repeated call. Hence the suit will proceed ex parte against defendant Nos. 2, 8 and 9.

The report of Ld. Adv. Commissioner is accepted and kept with the case record.

Now the case record is taken up for injunction hearing.

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 do have prima facie case against the defendants and if the temporary injunction is not granted at this stage then the plaintiffs will not suffer the irreparable loss and the injury. The balance of convenience and inconvenience do not lean at this stage in favour of the plaintiffs.

**Hence it is,**

**ORDERED**

**that the petition for temporary injunction against the defendant Nos.1, 5 and 7 is considered and rejected on contest and ex parte against defendant Nos. 2, 3, 4, 6, 8 and 9.**

Fix 20-12-2025 for framing of issue.

D/C by me

Civil Judge (Jr. Divn.)  
Gangarampur at Buniadpur  
Dakshin Dinajpur  
J.O.Code:WB1104

Civil Judge (Jr. Divn.)  
Gangarampur at Buniadpur  
Dakshin Dinajpur  
J.O.Code: WB1104