

Contd.

Order No. 2

Date:17.01.2022

Today one put up petition has been filed by Ld. Advocate for the plaintiffs praying for hearing of injunction petition with ad interim relief on the ground of urgency. The put up is **allowed**.

Ld. Advocate for the plaintiff has prayed for hearing of injunction petition with ad interim relief on the ground of urgency.

It appears from the case record that no caveat is pending against this suit till date. Therefore, the injunction petition is taken up for hearing.

The crux of the plaintiffs' case is that the plaintiff is a tenant of the schedule property under the defendant since May, 2019. As per the terms and the agreement dated 1st May, 2019 the plaintiff has been paying the rent on due time till date. All of a sudden on 2nd January, 2022 the defendant asked the plaintiff to vacate the suit premises and threatened the plaintiff to vacate the suit premises immediately in default he will evict the plaintiff from the suit premises with the help of some antisocial person.

I have heard Ld. Advocate for plaintiff, perused relevant materials on record.

It appears that the plaintiff has a *prima facie* case fit for adjudication. If the plaintiff is forcefully evicted from the suit property or the electric and water supply of the plaintiff is disconnected the plaintiff will suffer irreparable loss and injury. The balance of convenience and inconvenience tilts in favour of plaintiff at this stage.

Hence it is

Ordered

That the ad interim injunction prayer of plaintiff under Order 39 Rule 1 & 2 of CPC is considered and **allowed**, without any order as to costs.

The defendant is hereby restrained from evicting the plaintiff on the suit property without following the due process of law and he is further restrained from creating any sort of disturbance in peaceful possession of the plaintiff over the schedule premises till 14.03.2022.

The defendants are directed to show cause within 15 days from receipt of notice as to why the temporary injunction prayer of plaintiff shall not be allowed in his favour.

Plaintiffs are directed to comply Order 39 Rule 3(a) and (b) of CPC.

Requisites at once.

To dated (14.03.2022) for S/R.

D & c by me

Civil Judge (Jr. Divn),
Haldia

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