

Misc. Appeal No. 154 of 2025  
CNR No. WBHW01 004296 2025

Present: Abhijit Som,  
District Judge, Howrah.  
J.O. Code - WB01127

Order No. 02 dated 25.08.2025.

The record is put up on prayer.

The application under Order 39 Rules 1 and 2 read with sec. 151 of the C.P.C. is taken up for hearing.

No caveat is filed as per office report.

It is the case of the appellants that they are jointly the owners of the scheduled property. Originally the property belonged to their grandmother and now, they are the owners of the same by the rightful way. The respondents have no right, title and interest in the scheduled property. They are trying to grab the property by way of illegal construction and encroachment. The appellants lodged diary in the local police station but nothing hindered the respondents from making threat of dispossession. Hence, the suit is filed and ad interim order is sought.

Issue notice upon the respondents asking them to show cause within fifteen days from the date of receipt thereof as to why the prayer for temporary injunction shall not be granted.

Considering good prima facie case and the balance of convenience and inconvenience in favour of the appellants, this Court is of the view that an ad interim order of injunction may be granted where irreparable injury is anticipated.

Hence, it is,

Ordered

that the application under Order 39 Rule 1 and 2 read with Section 151 of the C.P.C. praying for ad interim order of injunction is allowed ex parte.

Both parties to the instant appeal are directed to maintain status quo in respect of nature, character and possession of the suit property till 23.09.2025.

Requisites at once.

The appellants are directed to comply with the provision of Order 39 rule 3 (a) & (b) of the C.P.C. at once.

To date.

Dictated & corrected by me.

D. J.

District Judge, Howrah.