

**Title Suit No. 72 of 2023**

**Order No.13 dated 16.09.2025**

Today is fixed for hearing of the injunction application u/Or 39 r 1 & 2, and under Section 151 of CPC, extension and steps upon the defendant Nos. 1 to 4.

Plaintiff filed hazira and prayed for extension of the ad interim injunction by filing petition. Plaintiff filed an adjournment petition for taking steps which is allowed on the ground stated therein.

Defendant Nos. 5, 6, 7 & 8 filed hazira.

This is the suit for declaration as well as permanent injunction.

Heard the Ld. Advocate of the plaintiff who submitted that Lt. Panchanan Kanrar i.e. the father of the plaintiff and defendant Nos 7 & 8 was the recorded bargadar in the 'Ka' schedule suit property. Ld. Advocate contended that on account of his old age the said Panchanan Kanrar authorized the plaintiff to exclusively cultivate the suit property on his behalf. Ld. Advocate submitted that in view of the authorization given by Panchanan Kanrar the plaintiff started to cultivate the suit property exclusively. Ld. Advocate further submitted that the said Panchanan Kanrar expired in the Baishak of 1412 B.S. leaving behind the plaintiff as well as defendant No. 7 & 8 and a daughter as his legal heirs. After the demise of Panchanan Kanrar defendant No. 7 & 8 authorized the plaintiff to continue to cultivate the suit property exclusively. Ld. Advocate went on to contend that till recently the plaintiff was peacefully cultivating the suit property without any objection from any corner. But on 10.02.2023 a dispute was raised by defendant Nos. 5 to 8 regarding the cultivation of the suit property. In order to resolve the dispute the plaintiff was summoned to a meeting on 10.02.2023. Ld. Advocate submitted that at the said meeting the plaintiff was compelled to sign on a piece of paper against his will by the aforesaid defendants. In the said piece of paper it was stated that the plaintiff shall give up his right of cultivating the suit property in the coming few days. Ld. Advocate of the plaintiff went on to submit that defendant Nos. 5 to 8 have been given open threats to the plaintiff on and from 15.05.2023 that they will forcibly dispossess the plaintiff from the suit property and that they will not permit him to cultivate the same any further. In addition to this, they also threatened to damage the crops cultivated by the plaintiff. Ld. Advocate of the plaintiff thus submitted that the plaintiff has been for the aforesaid reasons compelled to file the present suit against the said defendants in order to protect his interest in the schedule suit property. He, therefore, prayed for an order of temporary injunction against the defendant Nos. 5 to 8 restraining them from forcibly dispossessing the plaintiff from the Ka schedule suit property as well as from preventing the plaintiff from cultivating the suit property.

Ld. Advocate for the defendants stated that the order of ad interim injunction passed in the form of status quo should be made absolute till the disposal of the suit as he has no objection and as such gave the consent.

Heard. Considered.

Upon a close inspection to the matter and considering the entire facts and circumstances of the case, on perusal of the injunction application as well as affidavit and relevant documents submission of both the parties, this Court does not find any impediment in allowing the injunction application. Further the Court thinks that without the order of injunction the plaintiff shall suffer irreparable loss and injury. In view of the above circumstances prayer for temporary injunction is considered and allowed in the form of status quo. So both the parties should maintain status quo as to the nature, character and activities as on this day in respect of the suit property till disposal of the suit.

Hence, it is

**ORDERED**

The application u/Or 39 r 1 & 2 CPC r/w section 151 CPC is allowed and disposed of on consent without any order as to cost. Both the plaintiff and defendants are hereby directed to maintain status quo with regard to nature, character and activities as on this day in respect of the suit property till the disposal of the suit.

To **01.12.2025** for steps on defendant Nos. 1 to 4.

**D/c by me**

**CJ**

**Civil Judge (Jr Divn)  
Amta, Howrah**