

**Title Suit No. 60 of 2023**

**Order No. 12 dated: 24.01.2025**

Today is fixed for hearing of the application for police help.

Plaintiff filed hazira along with some photographs.

Defendant No. 1 filed hazira along with written objection against the petition for police help.

Heard Ld. Advocate for the plaintiff who submitted that the temporary injunction order was passed in contested form and both the parties were directed to maintain status quo with regard to the nature, character, activities as on this day in respect of the schedule suit property till the disposal of the suit. In spite of the injunction order the defendant No. 1 is carrying on the work of cultivation on the plaintiff's occupied portion. He is trying to forcibly dispossess the plaintiff and also threatened the plaintiff with dire consequences. Hence the plaintiff prays for directing the O.C of Penro Police station to implement the ad interim order passed by this Court on 21.12.2023.

Ld. Advocate for the defendant No. 1 raised vehement objection stating that the plaintiff has installed one bamboo and stuck a notice over there without the permission of the Court. The plaintiff is obstructing in the cultivation work of plantation of paddy saplings. The plaintiff is threatening the defendant No. 1.

Heard. Considered.

After perusal of the record and the materials thereon, it is seen that the suit property is an agricultural land. The production and usufruct from the land can never be stopped by any order of injunction. If the cultivation work is stopped then the fertility and the productivity of the land will be reduced. This will affect the nature and character of the land. Moreover the suit property is undivided and undemarcated one and both the parties are the co-sharers over the same. So both the parties have the right of cultivation over the suit property. As such, this petition has no legs to stand.

Hence it is,

**ORDERED**

that the instant application under section 151 of the code of civil procedure filed by the plaintiff for police help is considered and rejected and disposed of. It is seen that the summon could not be served on defendant No. 4. The plaintiff is directed to take fresh steps.

To 05.04.2025 for fresh steps.

**Dictated & corrected by me**

CJ

**Civil Judge (Jr.Div.)  
Amta, Howrah**