

Title Suit 113 of 2021

Order no. 25 dated: 10.02.2026

Today is fixed for hearing of the petitions u/s. 151 of CPC for police help.
Both parties filed hazira.
The petition u/s. 151 of CPC is taken up for hearing.

Heard Ld. Advocate for the plaintiff who submitted that on 31.03.2023 this Court was pleased to pass an order of injunction by directing both the parties to maintain status quo with regard to the nature, character and activities as on this day in respect of the schedule property. On 20.01.2026, 24.01.2026, 26.01.2026 the defendant No. 2 tried to change the nature and character of the suit plot No. 282 and 652 by dumpers and the pad lock of the room of the plaintiff was broken and new padlock was installed. Plaintiff lodged several GDEs being Nos. 952, 1134, 1226 on the respective dates before the Amta P.S. They are deliberately making construction over the suit property violating the order of injunction passed by this Court and even threatening the plaintiff with dire consequences in case of any resistance. Hence the plaintiff prays for directing the O.C of Amta Police Station to implement the order of injunction passed by this Court on 31.03.2023.

Ld. Advocate for defendant No. 2 did not raise any objection and gave consent.

Heard. Considered.

After perusal of the record, it is seen that the Order of injunction was passed by by directing both the parties to maintain status quo with regard to the nature, character and activities as on this day in respect of the schedule property. Defendants Nos. 1 & 2 were also restrained from disturbing the peaceful possession of the plaintiffs, forcefully dispossessing the plaintiff, transferring any portion in respect of the schedule suit property. But from the evidence it is seen that some constructions are going on over the schedule suit property. Moreover, the plaintiffs have lodged several GDE but no action was taken in this matter. If such construction is not stopped at this stage then it will lead to multiplicity of proceedings.

Considering the above facts and circumstances I'm inclined to allow the instant application filed by the plaintiff. The plaintiff's prayer for police help is hereby allowed and the Officer-in-charge of Amta P.S is directed to see that the order of injunction dated 31.03.2023 passed by this Court is implemented in its true spirit and for the ends of justice.

Hence, it is

ORDERED

that the instant application under section 151 of the code of civil procedure dated 29.01.2026 filed by the plaintiffs for police help is considered and allowed on consent and disposed of without any order as to costs.

Accordingly the Officer-in-Charge of Amta police station is hereby directed to implement the order of injunction passed by this court on 31.03.2023 in respect of the suit property in its true spirit and for the ends of justice. The Officer-in-charge

of Amta P.S. is also directed to submit the detailed report in respect of the construction and condition over the schedule suit property.

Let a copy of this order along with the copy of the order of injunction passed by this court on 31.03.2023 be sent to the Officer-in-charge of Amta police station for taking necessary action.

Fixing 10.03.2026 for police report.

Dictated & corrected by me

CJ

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