

Title Suit 137 of 2017 (CIS 149 / 2017)

Order no. 45 dated: 03.06.2024

Today the record has been placed by way of put up petition which is allowed. Plaintiff filed one application u/s. 151 of CPC for police help along with some documents.

The petition u/s. 151 of CPC is taken up for hearing.

Heard Ld. Advocate for the plaintiff who submitted that this Court was pleased to pass an order of temporary 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. But on 31.05.2024 the defendants engaged some labours to make pucca construction on the suit plot by violating the injunction order passed by this Court. On protest the defendant threatened the plaintiff with dire consequences. The plaintiff informed the matter to the Chandrapur Outpost under Amta P.S. and lodged GDE on 31.05.2024. The police personnel failed to take any steps. The defendants are continuously violating the injunction order passed by the Ld.Court. Hence the plaintiff prays for directing the O.C of Amta Police Station (Chandrapur outpost) to implement the injunction order passed by this Court.

Heard. Considered.

After perusal of the record, it is seen that the Order of injunction was passed by directing both the plaintiff and defendant No.1 to maintain status quo with regard to the nature, character and activities as on this day 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. 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 passed by this Court is implemented in its true spirit and for the ends of justice.

Hence,

ORDERED

that the instant application under section 151 of the code of civil procedure filed by the plaintiffs for police help is considered and allowed on contest.

Accordingly the Officer-in-Charge of Amta police station is hereby directed to implement the order of temporary injunction passed by this court on 15.12.2018 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 temporary injunction passed by this court on 15.12.2018 be sent to the Officer-in-charge of Amta police station for taking necessary action.

To date (21.06.2024) for police report.

Dictated & corrected by me

CJ

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