

T.S. - 573/2022

Order No.03 Dated 22/11/2022

Today is fixed for hearing of the injunction petition filed by the plaintiff.

Plaintiff is present by filing hazirah and also filed the acknowledgement receipted of plaint, injunction petition served upon the Learned Advocate for the defendants/caveator.

Defendants/caveator is absent without taking any steps.

None appeared for said defendant on repeated calls.

Accordingly, the injunction petition so filed by the plaintiff is taken up for consideration exparte.

Heard Learned Advocate for the plaintiff.

Perused the petition as well as the other relevant materials available on record.

Considered.

Considering the material on record as well as submission of Learned Advocate of the plaintiff I am of the opinion that there is strong prima facie case in favour of the plaintiff and the balance of convenience and inconvenience to pass an order of injunction is also lies in favour of his case.

Accordingly I do inclined to allow the prayer for temporary injunction as prayed by the plaintiff.

Hence, the defendant is hereby restrained by way of a temporary injunction to make any sort of construction over 'B/1' schedule land, till disposal of the present suit.

Todate (13.12.2022) for awaiting S/R and appearance of the defendant in respect of the suit and further order.

Sd/- Gourab Ghosh (WB01100)
Civil Judge (Sr. Division)
2nd Court, Paschim Medinipur (H.Q.)