

Partition Suit No. 750 of 2025

Order No. 04 dated 16/12/2025.

Record is put up today by the plaintiff to move his temporary injunction petition dt. 04.12.2025 praying for ad-interim order of injunction against defendant no.7.

As per endorsement of Sheristadar, no caveat is pending.

Accordingly, the record is taken up for hearing of plaintiff's prayer for ad interim injunction.

Heard Learned Advocate Sri Amit Sen appearing for the plaintiff. Perused the injunction petition and the documents filed by the plaintiff.

It appears that initially this Court was pleased to refuse plaintiff's prayer for an ad-interim injunction prayed against defendant no.1 but subsequently defendant no.1 has transferred her share in the suit property in favour of defendant no.7 who was subsequently by the plaintiff as party to the suit in view of said transfer.

On consideration of the submission of learned advocate for the plaintiff, the contents of their relied documents presently, I am of the opinion that there is **prima facie** case in favour of the plaintiff and the balance of convenience and inconvenience to pass an order of ad-interim injunction also lies in his favour and unless the proposed ad-interim order of injunction is passed there is strong possibility of causing irreparable loss to the plaintiff.

Accordingly the plaintiff's prayer for a ad-interim injunction is considered and allowed with the following order.

“defendant no.7 including his men, agent and/or assignee/s is hereby restrained from disturbing plaintiff's peaceful possession in the suit property, till the next date.”

Issue notice upon the defendant no. 7 asking him to file show-cause within 15 days of receiving the same, as to why the plaintiff's prayer for temporary injunction shall not be allowed.

Fix **26.03.2026** for awaiting SR of injunction notice and further order.

The plaintiff is directed to comply with the provisions of Order 39 Rule 3(a) and (b) of the Civil Procedure Code, at once.

Documents may be returned to the plaintiff or on behalf of his learned Advocate on record, on usual undertaking to refile the same, if called for.

D & C by me
CJSD, Lalbagh

Sd/- Gourab Ghosh,
Civil Judge (Senior Division)
Lalbagh, Murshidabad, W.B
J.O.Code: WB01100.