

Order No. 10
Dated 27.06.2016

Today the date is fixed for WS by defendant no. 1 as last chance i.d. Ex-parte injunction hearing.

Learned advocate for the plaintiff as well as defendant are present.

Let the petition filed U/O 39 rule 1, 2, & 3 of CPC r/w sec. 151 of CPC is taken up for hearing.

Hd the ld advocates of the both sides. Perused the case record. It appears that this COURT on 03.01.15 passed a injunction order restraining the defendant nos. 1 and 2 from interfering into the peaceful possession of the plaintiff over the suit plots.

Perused the case record and the instant application and considering the submission of both parties it seems to this court that the restrained order should be continued till the disposal of the suit for avoiding the arising of multiplicity of the suit.

Hence it is

ORDERED

that the petition filed by the petitioner U Or 39 R 1, 2 & 3 C.P.C. read with section 151 of C.P.C. be and same is considered and allowed on contest restraining the defendant nos. 1 and 2 from interfering into the peaceful possession of the plaintiff over the suit plots, till the disposal of the suit.

Thus the petition is disposed of.

Petition for extension of ad interim injunction is of no use and since dis-regarded.

Defendant no. 1 filed petition praying for time for filing WS.

Heard. Prayer is considered and rejected.

The suit be proceeded against he defendant no.1.

S/R upon defendant no. 5 (State of W.B.) is received on proper service but none appears. Accordingly, the suit be proceeded against he defendant no. 5 also.

Requisites upon defendant no. 3 and 4 is filed. Let it be issued after proper checking.

DA to comply.

To _____ for S.R/A.D of defendant nos. 3 and 4.

Dictd. & Cortd by me

C.J.(J.D.), Lalbagh

Civil Judge(Junior Division),
Lalbagh, Murshidabad.