

**TITLE SUIT – 137 OF 2026**  
**PRESENT BEFORE : AMRITA DEY**  
**JO CODE : WB01380**

**Order no. 02 Dated : 19.03.2026**

The record is taken up by way of put up for hearing of an application of ad interim injunction under order 39 rule 1 & 2 of Civil Procedure Code supported by an affidavit filed by the plaintiffs today.

It appears from the endorsement made by the sheristadar, that no caveat has been lodged in respect of the suit property or by the parties involved in this suit. Issue notice upon the defendants asking them to show cause ***within 10 days*** from the date of receipt of the same as to why the prayer for temporary injunction shall not be granted against them as sought for by the plaintiffs.

Accordingly, the application for ad interim injunction is taken up for hearing. Perused the plaint, application for ad interim injunction, affidavit and other documents filed by the plaintiffs in support of their contention.

The plaintiffs' case in a nutshell is that, the property as mentioned in the schedule of the plaint (hereinafter referred to as suit property) belonged to Sabdul Sk having 37 decimals of land in the suit property and plaintiff also owned another 37 decimals of land in the suit property by way of adverse possession. Principal Defendants have no right, title and interest over the suit property. Suddenly on and from 11.03.2026 defendants have been trying to occupy the suit property by making construction on the basis of erroneous LRROR, which compelled him to file this suit.

Ld. Counsel on behalf of the plaintiffs submitted that, the defendants are strangers in respect of the suit property and they have had no right or possession over the suit property but the defendants have been trying to dispossess the plaintiffs from the suit property. Ld. Counsel concluded his submission with a prayer that, the court may be pleased to pass an order against the defendants to protect the right & possession of the plaintiffs.

Having heard the submission of the Ld. Advocate for the plaintiff and after going through the documents filed by the plaintiff, it appears that, **firstly**, plaintiff has filed a plot information to show that he has been possessing the suit property adversely and within the knowledge of original owners. **Secondly**, plaintiff could not show by producing any document from which date the plaintiff has been possessing the suit property adversely against the original owners. Therefore, in absence of the any document in favour of plaintiffs, it will not be justified to pass any injunction order in respect of the suit property, as the plaintiffs failed to satisfy the Court about the prima-facie case in their favour at this stage. In such circumstances, I do not find it justified to pass any interim order in favour of the plaintiffs.

Hence, it is

**O R D E R E D**

**That the prayer for ad-interim injunction stands rejected ex-parte against the opposite party.**

**To date (01.10.2026) for S/R and A/D.**

**D/C by me**

**Sd-/ Amrita Dey**

**Civil Judge (Jr. Div)  
Lalbagh Msd.**

**Sd-/ Amrita Dey**

**Civil Judge (Jr Div)  
Lalbagh Msd.**