

T.S.-47/2022.
CNR No. WBMD11-000133-2022

Order no.02; Dated:21/04/2022:

Today the record is taken up by way of a put up petition being allowed wherein the applicant/plaintiff side files an application under Order 39 Rule 3 C.P.C. in context of Order 39 Rules 1 & 2 C.P.C. on the ground of urgency and emergency which has been taken up for hearing today after finding no caveat being lodged in this matter.

It is the plaintiff side case that they are the owners of the suit property vide certain purchase deeds and certain succession. The various deeds and documents, Record of Rights in this regard justify such claim at least prima facie wise but the present dispute have arisen due to certain alleged wrong mutation entry done by the concerned Revenue Department wherein the plaintiffs have been mutated with dag no. 327/502 (which should have been actually mutated in the name of the defendants) instead of LR dag no. 327/504 (which should have been mutated in the name of the present plaintiffs). The relevant BLRO reports speak almost in the same lines. Also the documents reveal the pendency of proceedings before the appropriate authority to rectify the mutation entries.

It is alleged that by exploiting the alleged wrong mutations, some of the defendants morefully, described in the injunction application, are trying to disturb the peaceful possession and occupation of the plaintiffs, making illegal constructions and even trying to sell out the suit property wrongly.

Thus after finding a prima facie case in favour of the plaintiff side and after considering the balance of convenience and inconvenience and after perusing all the necessary documents as filed by the plaintiff/applicant today in support of their legal contention, hence it is,

ORDERED

that a status quo be maintained over the suit property with respect to nature, character and possession

implying in the same sweep not creating any further interest of any type over the suit property till 21/05/2022 or till further orders.

Ad-interim injunction application is thus allowed and disposed of.

The plaintiff side to comply with Order 39 Rule 3 (a) (b) CPC. Ad interim injunction application is disposed of accordingly.

To 21/05/2022 for W/O, W/S, S/R & A/D.

D/C by me.

Civil Judge (Jr. Divn.), 1st Court,
Jangipur, Murshidabad

Civil Judge (Jr. Divn.), 1st Court,
Jangipur, Murshidabad

Later; Dated:21/04/2022:

The prayer for returning of the documents are allowed.

To date.

D/C by me.

Civil Judge (Jr. Divn.), 1st Court,
Jangipur, Murshidabad

Civil Judge (Jr. Divn.), 1st Court,
Jangipur, Murshidabad