

O.S.-44/21

CNR No. WBMD11-000336-2021

Order no.02; Dated:23/12/2021:

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 he is a legitimate tenant at the suit premise in the support of which the tenancy agreement, electrical bill, rent receipts and other relevant documents are filed. The plaintiff side contends that as original landlord transferred his share in favour of the present defendant side who is trying to throw them out from the suit property by using forceful means.

Thus, after finding prima facie case and after finding balance between convenience and inconvenience and for the ends of justice, hence it is,

ORDERED,

that the defendant is restrained to apply any unlawful force to remove the tenant from the suit premise. However, the defendant/landlord has every right to follow the course of law if he has any cause to evict the tenant.

The plaintiff side vide an affidavit has submitted that the suit schedule property description is correct and it is only a clerical error in the tenancy agreement schedule which can be easily understood from the other attending facts and circumstances.

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 **24/01/2022** 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,

WB-1115

Jangipur, Murshidabad.

WB-1115

Later; Dated:23/12/2021:

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.

WB-1115

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