

Title Suit 199/2022
Registration No. 199/2022
CNR No. WBND07-000265-2022
Present: Rajib Sarkar
J.O. Code WB01509

Order No. 2; Dated 17.11.2022

Record is put up before me by dint of a petition filed by the Ld. Advocate for the plaintiff who prays for the hearing of ad-interim injunction petition which has already been filed in the record.

The record is sent to the Sheristadar for caveat noting who gives a report as to no caveat being found.

Hence, the record is taken up for hearing the ad-interim injunction petition.

The fact of the case according to the plaintiff is that the suit property originally belonged to a predecessor of the plaintiff who executed several Gift Deeds in favour of the plaintiffs, pro-defendant and others. The plaintiff also alleges that the principal defendants have manufactured some fabricated Gift Deeds and on the basis of that they are claiming interest over the suit property.

Now, the plaintiff has himself failed to produce his document of ownership and as such, there is nothing on record which can elucidate on the actual ownership of the suit property. The RORs that has been placed on record are in favour of the plaintiff, but at this stage without hearing the principal defendants, this Court cannot come to any conclusion enabling it to pass an order of ad-interim injunction more so when the existence of a Gift Deed in favour of the principal defendants has been admitted by the plaintiff.

Taking into consideration the above discussion, the prayer of the plaintiff is hereby rejected.

Hence it is,

ORDERED

That the prayer for ad-interim injunction is hereby rejected.

Issue notice upon the principal Defendants calling upon them to show cause within 14 days from the date of receipt of notice as to why the order of temporary injunction shall not be passed against them.

Requisites at once.

To 13.01.2023 for S/R and S/C.

(Dictated and Corrected by me)

Sd/-
Civil Judge(Jr. Divn)
Nabadwip, Nadia