

Title Suit No. 08 OF 2023 CIS 08 OF 2023
CNR WBNP18-000010-2023

05-01-2023

The record is taken up for hearing of application u/o.39 rule 1 & 2 read with section 151 of CPC filed by the plaintiff.

Heard. Perused the plaint, affidavit, said application and copies of documents filed by the plaintiff.

No caveat is pending as per the report of the Sheristadar.

By filing the instant petition the plaintiff prays for declaration and permanent injunction against the defendant.

Issue notice upon the defendant to show cause within 20 days from the date of receipt thereof as to why an order of temporary injunction shall not be granted against him.

Considered.

Perused the plaint, petition and other connected documents produced before this court, this court finds no urgency in this matter. This Court is of the further view that plaintiff has failed to establish the prima-facie case. At the same time defendant should be heard before passing any order against him. Moreover, the plaintiff failed to prove the urgency involves in this case and object of granting injunction shall not be defeated by delay.

Hence, it is

O R D E R E D

that the temporary injunction petition on ad-interim basis is refused at this stage.

To date.

D/c by me

CJ (Jr. Divn.)
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