

Order dt. : 05/03/2026

Record fixed for filing show cause by defendants.

Plaintiff filed hazira.

No steps taken by any of the defendants.

No show cause filed by the defendants.

Considering the conduct of the defendants, the suit will be heard ex parte against all the defendants.

Considering the urgency of the plaintiff, the injunction application be taken up for hearing.

Heard the Ld. Advocate for plaintiff.

Perused the injunction application and other materials on record.

The plaintiff has contended *inter alia* in the injunction application that he was inducted as tenant in the tenanted premises as described in schedule B of the injunction application by the predecessor of the defendants by virtue of a tenancy agreement dated 06/01/2000. The plaintiff paid rent up to April 2025 to the defendants. During absence of the plaintiff, the defendants illegally demolished the suit property except the suit premises with intention to develop the suit property and in this regard the plaintiff nos. 1 and 2 have entered into a development agreement with defendant nos. 3 and 4. In this way, defendant nos. 1 and 2 are trying to evict the plaintiff from the suit premises illegally.

In order to substantiate his claim the plaintiff filed one money receipt containing the details of tenancy in question, rent bill, domestic LPG gas connection receipt and several photographs.

Considering all these prima facie it is cleared that plaintiff is a bona fide tenant and he is in possession in the suit premises till date and therefore his possession is required to be protected till disposal of the suit.

Hence,

O R D E R E D

that the application u/O XXXIX Rule 1 and 2 of C.P. Code filed by the plaintiff is hereby considered and

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allowed on ex parte.

Accordingly, defendants and their men and agents are hereby directed not to disturb the peaceful possession of the plaintiff in respect of the tenanted premises as described in schedule B of the injunction application which is part of schedule A property by any manner whatsoever including demolition of the suit property till the disposal of the suit.

Thus, the injunction application is disposed of.

Fix 14/05/2026 for ex parte hearing of the suit.

Plaintiff is directed to communicate of this order to the defendants.

D/C by me,

Civil Judge (Jr. Divin)
Bidhannagar
J.O. Code WB 01155