

Later dt. : 09/02/2026

Issue notice upon the defendant to file show cause within 15 days from the date of receive as to why the ad interim injunction as prayed for shall not be granted against him.

Marginal note of the Office shows that there is no caveat is pending against the instant suit.

The Ld. Advocate for the plaintiff moves the interim injunction filed u/O XXXIX Rule 1 and 2 read with Section 151 of CPC on the ground of urgency.

Heard the Ld. Advocate. Perused the interim injunction application, plaint and documents filed.

The instant suit is for declaration and injunction along with an application u/O XXXIX Rule 1 and 2 of CPC. The bone of contention of the injunction application is that the plaintiff is a lawful tenant under the defendant. Now the defendant is disturbing the peaceful possession of plaintiff to vacate the suit flat illegally.

Considering all these and after careful perusal of all documents filed by the plaintiff, prima facie it appears that the plaintiff is a tenant and he is in possession of the suit flat and the same is required to be protected against illegal ejection.

Accordingly, the prayer is allowed.

Consequently, the defendant and his men and gents are directed not to evict the plaintiff from the suit flat as described in the schedule B of the instant application without due process of law till 09/03/2026.

The plaintiff is hereby directed to comply with the provision of order 39 Rule 3(a) and 3(b) of C.P.Code.

Requisite at once.

D/C by me,

Civil Judge (Jr. Divin)
Bidhannagar, North 24 Pgs.
J.O. Code WB 01155