

T.S. No. 74 OF 2020 CIS 74 of 20

15.06.2020

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

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

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

By filing the instant petition the plaintiffs pray for declaration and permanent injunction.

Considered.

Issue notice calling upon the defendants 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 them.

Perused the plaint, petition and other connected documents it appears to this Court that the plaintiffs have been able to establish the prima facie case and proved urgency at this stage. If the subject matter of the suit is not preserve then, the purpose of the suit shall be frustrated and an order of ad interim injunction in the measure of status quo would be just and proper.

Hence it is

ORDERED,

that all the parties to the suit are hereby directed to maintain status quo in respect of nature, character and possession of the suit property as on stands today till 14.07.2020.

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Plaintiffs are hereby directed to file requisites at once.

Plaintiffs are hereby directed to comply with the provision of u/o.39 rule 3(a) and 3(b) of CPC.

Plaintiffs are also directed to comply the provision of filing plaint as per the provision of the order 7 of CPC and the same rule has been relaxed due to the non availability of notary in the Court Compound at this moment.

To date.

D/c by me

CJ (Jr. Divn.)
Bidhannagar

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