

Title Suit No. 76 OF 2023 CIS 76 of 2023  
CNR WBNP18-000104-2023

03.03.2023

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

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

Issue notice 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.

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 plaintiffs have failed to establish the prima-facie case. At the same time defendants should be heard before passing any order against them. Moreover, the plaintiffs 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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