

Order dt. : 01/09/2025

Record is put up today on the prayer of the plaintiffs to move ad interim injunction after service of notice to the defendants caveator.

Heard. Considered the put up prayer is allowed.

Now the record be taken up for hearing of ad interim injunction.

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

Considering all these, it appears that the instant suit is for declaration and injunction along with an application u/O XXXIX Rule 1 and 2 read with Section 151 of CPC. The bone of contention of the injunction application is that the plaintiffs and the defendants are partners and they jointly developed the schedule property alleging that the defendants has constructed building upon the suit schedule property by violating the building plan as well as the terms and condition of partnership deed.

Considering the contention of the instant application and after careful perusal of all documents including deed of partnership, it appears before this Court that an huge amount has been invested in the suit schedule property by the parties. In this background, this Court is not inclined to allow the prayer of the plaintiff without being heard of the other side.

Accordingly, the prayer is refused.

Put up on the date fixed (16/01/2026)

D/C by me,

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