

Later dt. : 14/08/2025

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

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.

Considering all these, it appears that the instant suit is for permanent injunction along with an application u/O XXXIX Rule 1 and 2 of CPC. The bone of contention of the injunction application is that though the suit property is not finally allotted in favour of the plaintiff and her application for allotment is still under process but she is in possession over the suit schedule property since long and enjoying the same. Now a days, the adjoining land owners / defendants are disturbing her peaceful possession and enjoyment with intent to dispossess her.

Considering all these and after careful perusal of all documents specially the electric bills and aadhaar card, it appears that the plaintiff is in possession over the suit property. Therefore at this stage the possession of the plaintiff is required to be protected.

Accordingly, the prayer is allowed.

Consequently, the defendants are hereby restrained from disturbing the peaceful possession of the plaintiff in respect of the suit schedule property as described in the injunction application till 12/09/2025.

The plaintiff is hereby directed to comply with the provision of order 39 Rule 1(a) and (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