

Order dt. : 24/09/2025

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

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

The Ld. Advocate for the plaintiffs move 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 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 proforma defendants are joint owners of the suit property by way of inheritance and the defendant no. 1 fraudulently transferred the suit property in favour of defendant nos. 2 and 3.

Considering the contention of the instant application and after careful perusal of all documents, the plaintiffs are able to establish their prima facie case on the basis of their joint ownership of the suit property and therefore to avoid multiplicity of proceedings a restraint order in the form of temporary injunction is required to be passed to protect the proprietary right of the plaintiffs.

Accordingly, the prayer is allowed.

Consequently, the principal defendants and their men and agents are hereby restrained from creating any third party interest in any manner whatsoever in respect of the suit property as described in the schedule of the injunction application till 04/11/2025 (due to intervention of puja vacation)

The plaintiffs are 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.