

Order dated 08/12/2025

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 declaration and injunction along with an application u/O XXXIX Rule 1 and 2 of CPC. The bone of contention of the injunction application is that the plaintiff is a bona fide tenant under the defendants in respect of the B schedule property. Now a days, the defendants intentionally are refusing to accept monthly rent to dispossess the plaintiffs from the suit premises illegally.

Considering all these and after careful perusal of all documents filed by the plaintiff, prima facie it appears that the plaintiff is a tenant and till date he is in possession of the suit premises and the same is required to be protected.

Accordingly, the prayer is allowed.

Consequently, the defendants and their men and gents are directed not to evict the plaintiff from the suit premises as described in the schedule B of the instant application without due process of law till 07/01/2026.

The plaintiff is 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