

T.S. 147 OF 10 CIS 2896 OF 14
27-06-2019

Today is fixed for hearing of injunction petition dated 07.04.2010.

Due to non-compliance of the order of the Court, the case is proceeded exparte against the defendants.

The petition is taken up for hearing.

By filing the instant petition the plaintiff inter alia prays for issuance of temporary injunction restraining the defendant and their men and agent from dispossessing the plaintiff without due process of law.

The plaintiff's case in nutshell is that the plaintiff is the lawful tenant under defendant but at present defendant is trying to evict the plaintiff without due process of law.

Considered. Issue notice upon the defendants to show cause within 10 days from the date of receipt thereof as to why an order of temporary injunction shall not be granted against them.

Heard Ld. Advocate on behalf of the plaintiff. The Ld. Advocate for the plaintiff submitted that the plaintiff is bonafide tenant in respect of the suit property and a person in lawful possession cannot be evicted without due process of law. The contention raised by the plaintiff remained unchallenged. On the basis of observation of this Court vide order dated 07.04.2010, this Court is inclined to allow the injunction petition.

Hence it is

O R D E R E D

That the injunction petition filed by the plaintiff is allowed. The defendant is hereby restrained from evicting the plaintiff without due process of law till disposal of the suit.

Fix **07-01-2020** for exparte hearing of the suit.

D/c by me

CJ (Jr. Divn.)
Bidhannagar

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