

Title Suit 158 of 2015 (797 of 2015)

WBNP18-001520-2015

Order dated : 17/02/2025

Record is fixed for hearing of 151 of CPC application and injunction application on ex parte.

Ld. Advocate for the plaintiff files hazira.

Record is taken up for hearing.

Heard the submissions of Ld. Advocate for the plaintiff.

Perused the case record.

On perusal it transpires that the suit is running ex-parte against the defendants from 18/05/2017. Further, defendants have failed to appear in this suit and failed to participate in the hearing of the suit. Furthermore, defendants have not taken any steps for vacating the order of the suit being proceeded ex-parte against them.

In such circumstances, it appears expedient to this Court that the order of ad-interim injunction be made absolute till the disposal of the suit.

Hence, the earlier order of ad-interim injunction as passed by this Court on 22/06/2015 is, hereby, made absolute till the disposal of the instant suit.

Later : The record is taken up for hearing application under section 151 of CPC.

Heard the submission of Ld. Advocate for the plaintiff.

By filing an application under section 151 of CPC plaintiff submits that on 04/08/2016 a repair application was made before this Court and same was allowed exparte on 26/07/2017. Even after passing of said order defendants have restrained and obstructed the repair work. By filing this application plaintiff prays for a direction upon the police authority to comply with the order of this Court.

Perused the record.

On perusal it transpires that vide order dated 26/07/2017, this Court allowed the repair application of plaintiff. Since 2017 the said order is not complied with. By filing this application plaintiff prays for a direction upon the Police authorities to oversee the compliance of the order dated 26/07/2017. Thus, this Court does not find any impediment in allowing the application as filed by plaintiff for implementation of order by way of police help.

The O/C, Lake Town is, hereby, directed to go to the suit property immediately upon receiving this order and to ensure compliance of the order dated 26/07/2017.

Let a copy of this order along with the copy of date dated 26/07/2017 be forwarded to O/C, Lake Town for necessary action.

O/C, Lake Town is also directed to file a compliance report after complying with the order of this Court.

Fix 22/05/2025 for the compliance report.

Civil Judge (Jr. Div.)

Bidhannagar.

J.O. Code : WB 01536