

IN THE COURT OF THE DISTRICT JUDGE, SOUTH 24-PARGANAS

Misc Appeal No.272/17

Order No.2, dated 14.11.2017

The record is put up by a put up petition filed by the appellant who by filing another application u/o 39 rules 1 & 2 of CPC has prayed for an ad-interim order of injunction restraining the respondent from interfering with the appellant's peaceful possession or from dispossessing the appellant from the suit property till disposal of the Misc Appeal. Learned Advocate for the appellant has prayed for passing an order of status quo. Perused the impugned order from where it appears that the appellant's application for temporary injunction was heard from both sides and the learned Trial Court on contested hearing rejected the said prayer for injunction. On perusal of the impugned order as well as other documents so filed, I am not inclined to pass an ad-interim order of injunction without giving the respondent an opportunity of being heard. Hence, refused at this stage.

Issue notice upon the respondent directing him to show cause as to why the instant application for injunction will not be allowed fixing 3.1.2018 for S.R. and appearance. Requisites at once.

Dictated & corrected by me

District Judge

Sd/ S. Kundu

District Judge