

T. S. No. 51 of 2021

CNR No. WBSP17-000291-2021

( J.O. Code-WB0962 )

Order No. 13 dated 27-07-2022

Today is fixed for hearing of the injunction application.

Both the parties are present by filing hazira.

The learned advocate for the plaintiff files a petition supported by an affidavit for extension of the order of ad interim injunction alongwith some documents supported by firisti.

On consent of both the parties, the record is taken up for hearing temporary injunction petition.

Heard both the sides.

Perused the case record and other materials on record.

Considered.

This is a suit for partition and injunction.

It appears from the record that this court vide order no. 02 dated 15.07.2021 passed an order of ad interim injunction directing to the plaintiff and the defendants to maintain status in respect to the plaintiff's possession upon such 11.66 decimals of land only, so that the plaintiff is not dispossessed therefrom.

Considering the entire facts and circumstances and the prima facie case made out by the plaintiff to go for the trial, and balance of convenience and inconvenience, irreparable loss and injury, I am of the view that in order to protect the entire suit property an order directing both the parties to maintain status quo regarding the nature, character and possession of the suit property till the disposal of the suit is required. I am not inclined to direct the parties to maintain status quo in respect of the plaintiff's possession only as at this stage this court is not in the position to ascertain the exclusive possession of the plaintiff over the undivided suit property.

Accordingly, the prayer for temporary injunction filed by the plaintiff is considered and allowed on contest without any costs.

Hence, it is,

**ordered**

Both the parties are directed to maintain status quo in respect of the suit property regarding its nature, character and possession till disposal of the suit.

To **30.08.2022** for framing of issues.

The petition for extension of ad-interim injunction is thus disposed of, accordingly.

Sd/-

ACJM-cum-CJSD, Kakdwip

D/C

Sd/-

ACJM-cum-CJSD, Kakdwip

