

Title Suit No.92 of 2025
Regd No. 92/25

(JO Code: WB01068)

Later: Dated: 05.05.2025

Seen the Caveat note of the Sdr.

Hd Ld Advocate for the plaintiffs in respect of the prayer u/o XXXIX R 1 and 2 r/w s 151 CPC praying for ad interim injunction against the defendants.

Perused the case record and petition u/o XXXIX R 1 and 2 r/w s 151 CPC and the papers and documents filed by the plaintiffs.

Considered.

Issue notice upon the defendants directing him to show cause within 7 days of its receipt thereof as to why the plaintiffs' prayer for temporary injunction shall not be granted.

Hd the Ld Advocate on behalf of the plaintiffs who submit in details as to how the plaintiffs acquired their right, title and interest over the suit property and the defendants acquired their right, title and interest over the suit property. The Ld Advocate on behalf of the plaintiffs has submitted that the defendants are trying to grab the excess land and are also trying to change the nature and character of the suit property as well as threaten to dispossess the plaintiffs from the suit property and interfering with the peaceful possession of the plaintiffs and ld advocate has therefore, prayed for an order of ad interim injunction.

Heard. Considered.

This is a suit for partition in which each of the co-sharers have absolute right, title and interest over each inch of land.

In my considered view, the balance of convenience and inconvenience tilts in favour of the plaintiffs and I am of the view that the plaintiffs has a strong prima facie case to go into trial and that the plaintiffs will suffer irreparable loss until and unless an order of ad interim injunction is issued in favour of the plaintiffs.

Hence, the prayer for ad interim injunction is allowed.

Hence, it is

ordered

that the prayer u/o XXXIX R 1 and 2 r/w s 151 of the CPC praying for ad interim injunction is hereby considered and both the parties are directed to maintain status quo in respect of the nature, character and possession in respect of the property described in the schedule of the plaint, till 04.06.2025.

Plaintiffs to file requisites at once complying the proviso laid down u/o XXXIX R 3 (a) and (b) CPC.

Issue notice accordingly.

D/C by me

Sd/-

ACJM-cum-CJSD, Kakdwip

Sd/-

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