

Order dt. 20/08/2026

Today is fixed for passing order in respect of the injunction application.

Both parties filed hazira.

Plaintiff also filed an application praying for extension of order of ad interim injunction.

Let the case record be taken up for passing order.

Perused the injunction application, W.O. thereto and other materials on record.

The bone of contention of the injunction application is that plaintiff nos. 1 and 2 are joint owners of A schedule property. Plaintiff no. 3 is owner of B schedule property. C schedule property is belonged to defendant. D schedule property is part of C schedule property. All these properties are situated adjacent to each other. The main allegation of the plaintiffs is that the defendants have violated the sanction plan and making construction their bath, privy and septic tank without leaving statutory side space which is causing inconvenience to the plaintiffs.

By filing W.O. the defendants prayed for rejection of the injunction application by denying all material allegations and statements made in the injunction application.

Considering the contention and counter contentions of the parties and after careful perusal of all documents, it appears that the plaintiffs able to establish their prima facie case with regard to main dispute and difference between the parties in respect of D schedule property which is required to be preserved for effective disposal of the suit otherwise trial of the suit will be frustrated. Accordingly, the injunction application is required to be allowed.

Hence, it is

O R D E R E D

that the application u/O XXXIX Rule 1 and 2 of C.P. Code filed by the plaintiffs is hereby considered and allowed on contest without any order as to costs.

Accordingly, the order of ad interim injunction dated 14/07/2020 passed by this Court is hereby became absolute till disposal of the suit.

Title Suit No. 74 of 2020

Thus, the injunction application is disposed of.

To 21/12/2026 for framing of issues.

D/C by me.

Civil Judge (Jr. Divn.)
Bidhannagar.
J.O. Code WB 01155