

Order dt. : 27/04/2026

Record is put up today on the prayer of the plaintiffs to move ad interim injunction.

Put up prayer is considered and allowed.

Now the record is taken up for hearing of ad interim injunction.

Issue notice upon the defendant to file show cause within 15 days from the date of receive as to why the interim injunction as prayed for by the plaintiff shall not be granted against him.

Marginal note of the Office shows that there is no caveat is pending against the instant suit.

The Ld. Advocate for the plaintiffs moves the interim injunction filed u/O XXXIX Rule 1 and 2 read with Section 151 of CPC on the ground of urgency.

Heard the Ld. Advocate. Perused the interim injunction application, plaint and documents filed.

The instant suit is for declaration and injunction along with an application u/O XXXIX Rule 1 and 2 of CPC. The bone of contention of the injunction application is that plaintiffs and defendant are co-sharers of the suit property and now a days the defendant is restraining the plaintiffs to enter into the suit property and also trying to sell out the same.

Considering the contention as well as documents filed by plaintiffs, prima facie it is appeared that admittedly the parties are co-sharers of the suit property. In view of the status of the parties in respect of the suit property, I am not inclined to pass any order of injunction against the co-sharer of the suit property as each co sharers have right, title and interest in each party of the property.

Accordingly, the prayer is refused.

Requisite at once.

D/C by me,

(Debabrata Biswas)
Civil Judge (Jr. Divin)
Bidhannagar, North 24 Pgs.
J.O. Code WB 01155