

Title Suit 74/ 2021 (CIS - 74/ 2021)

CNR No. - WBHW07 000 099 of 2021

Order No. 06 dated 25.01.2022

Today is fixed for hearing the application u/S 151 CPC filed by the plaintiffs concerning the violation of the ad interim order of injunction passed by this Court on 30.06.2021.

The instant petition is taken up for hearing in the presence of the Ld. Advocates of the parties.

Heard the Ld. Advocate of the plaintiff who submitted that the defendant Nos. 1 & 2 are violating the ad interim order of injunction passed on 30.06.2021 in the present suit by disturbing the peaceful possession of the plaintiffs in the suit property by preventing the plaintiffs from peacefully cultivating their share in same. Besides this, it has been also alleged that the said defendants have threatened to forcibly disposes the plaintiffs from the suit property. It has been further submitted by the plaintiffs that the illegal activities of the defendant Nos. 1 & 2 was duly brought to the notice of the Chandrapur outpost of Amta P.S. by the plaintiffs by lodging G.D.E. No. 334 dated 14.01.2022 besides also informing the duty officer of Amta P.S. about the same but till date no action has been taken against the said defendants. For this reason, the plaintiffs have been compelled to file the instant application and bring the aforesaid matter to the notice of this Court.

On the other hand Ld. Advocate of the defendants opposed the instant application and submitted that the allegation made therein are completely false and baseless. He therefore prayed for rejection of the instant application with cost.

Heard the Ld. Advocates of the parties at length.

Perused the instant application.

Considered.

The claims made under the instant application are quite serious in nature. Accordingly, the O.C. of Amta P.S. is directed to take necessary steps as per law for ensuring that the sanctity of the ad interim order of injunction order passed by this Court on 30.06.2021 is maintained at all costs. The officer-in-charge of Amta P.S. is directed to ensure that status quo is maintained by the parties to this suit as the instant suit is a suit partition and the peaceful possession of the plaintiffs therein is not disturbed by defendant nos. 1 & 2 in any manner. **Be it mentioned here that the direction contained in this order regarding maintenance of the sanctity of the said ad interim order of injunction shall remain binding on the officer-in-charge of Amta P.S. until the same is modified by this Court in writing vide any future order.** The Officer-in-Charge of Amta P.S. is further directed to submit a detailed report in this connection by the date fixed.

Let a copy of this order along with a copy of the ad interim order of injunction passed on 30.06.2021 as well as a copy of the plaint be at once forwarded to the O.C. of Amta P.S. for urgent compliance.

To 11.02.2022 for report from O.C. Amta P.S. as well as filing show cause by defendant Nos. 1 & 2.

D/C by me

C. J. (Jr. Divn.)
Amta, Howrah

C. J. (Jr. Divn.)
Amta, Howrah