

T.S. 21/25 (CIS – 24/25)
(CNR – WBWM11 -000038 -2025)

Order no. 3 Dated 08.04.2025

Today the record has been taken up with a strength of a put up application along with a prayer with affidavit , filed by the plaintiff. Put petition is allowed .

Ld. Advocate of the plaintiff submitted before this Court that on 29.03.2025 this Court has passed an ad interim order being satisfied with the plaintiff's submission as well as the documents supplied by the plaintiff and this Court by its order restrained the defendants from raising or construct any kind of illegal construction in the suit property and not to cut down the bamboo trees standing on the suit property and also not to disturbed the peaceful possession of the plaintiff or dispossess the plaintiff from the suit property. The Ld. Advocate of the plaintiff again submitted that after getting the ad interim order the plaintiff has done the compliance as per law now the plaintiffs submitted before this Court that still the illegal construction work of the defendants is going on and at the same time they are continuously cutting the bamboo trees from the suit property and the plaintiff has informed this activities of the defendants to the I.C . Garhbeta, P.S. and also informed the said officer about the ad interim order dated 29.03.2025 passed by this Court but the said officer has clearly stated the plaintiff that without any specific direction or order of this Court he will not take any steps against the defendants. Plaintiff prayed before this Court police help for the implementation of the ad interim order dated 29.03.2025 passed by this Court.

Heard & considered .

Peruse the case record as well as the submission of the plaintiff. By its ad interim order this Court restrained the defendants from constructing any illegal construction over the suit property and also restrained the defendants to cut the bamboo trees from the suit property by violating the peaceful possession of the plaintiff. Now plaintiff has submitted that in spite of communicating the ad interim order of this Court of this case to the defendants , just they are disobeying the order by continuing with their illegal construction work in the suit property and by cutting the bamboo trees of the plaintiff. If it will be continued then it will be a gross miscarriage of justice and it is not at all desirable. To hold the consistency of the ad interim order as well as for the proper implementation of the ad interim order dated 29.03.2025 it should be executed in its actual sense and spirit. Hence , it is,

ORDERED

That the petition dated 08.04.2025 filed by the plaintiff for Police help to implement the ad interim order dated 29.03.2025 passed by this Court , be and the same is hereby allowed .

O/C, Garhbeta, P.S., is here by directed to see the concerned matter and ensure this Court about the proper implementation of ad interim order dated 29.03.2025 in toto passed by this Court against the defendants of this case and file a report henceforth regarding the matter before this Court with in 17.01.2025.

To date . 03/05/82025 for Compliance report.

S/d- Lipika Das
Civil Judge Jr. Div. Additianl
Court, Garhbeta