

Title Suit –74/ 25(CIS- 81/25)
(CNR -WBWM11 - 000117 -25)

Later.. order dated 19.11.2025

“No caveat” is pending.

Plaintiff has filed the instant suit against the defendants seeking declaration and permanent injunction.

The plaintiff filed an injunction petition under O. 39, R. 1 & 2 of CPC read with section 151 of CPC ,along with the plaint against the defendant nos. 1 & 2 in respect of the suit property mentioned in the schedule of the the plaint.

The facts of the case in nutshell, Dist – Paschim Medinipur , P.S. Garhbeta, Bagri Pargana, J.L. No 725 , Mouza - Adharnoyan, R.S. khatian no 439 and L.R. khatian no 1007, 0.5 decimal in dag no 1340 and 32.05 decimal in dag no 1341 , of total 33 decimal ,is the suit property. According to the plaintiffs , the father of the plaintiff namely Lakshmikanto Mallick purchased the suit property on behalf of the minor plaintiff from minors Arun Kumar Ghosh and Barun Kumar Ghosh by their father natural guardian Amulya Ghosh by a registered deed of sale being no 3839 dated 29.06.1984 and after purchased the suit property the minor plaintiff and his father took the possession of the suit property from them and the suit property is their raiyat property and in L.R. khatian 1007 plaintiff's name has been finally published in respect of the suit property. AS per he plaint case the defendants have or had no right, title , interest and possession over any portion of the suit property and these defendants have the tendency to take shelter of the every ruling party as per situation for doing their unethical works and they are used to be popular in the locality as daring persons . According to the plaintiff, he have cultivated paddy in the suit property as usual like other years what he have done and the said paddy is already matured but on 15.11.2025 contemporarily 28 th Kartik,1432 the main defendants with their hench men tried to cut the standing paddy of the plaintiff standing on the suit property and then and there the plaintiff resisted them and one unwelcome situation arose between the plaintiff and the defendants and ultimately the defendants left the suit property with their men but the defendants threatened the plaintiffs that they will cut the paddy standing on the suit property and also forcefully dispossess the plaintiff from the suit property and the plaintiff informed the Chandra Kona Police Beat House and they have suggested to move before the Court and in this circumstances the plaintiff is compelled to institute this present suit.

The cause of action arise on 15.11.2025 when the defendants try to cut the paddy of the plaintiff from the suit property ,at P.S. Garhbeta, Dist - Paschim Medinipue, within the jurisdiction of this Court .

The plaintiff has filed some documents at the time of submission of the injunction petition and they are xerox copy of the sale deed is stand in the name of the plaintiff in respect of the suit property , L.R. khatian 1007 of the suit property in the name of the plaintiff. All the documents are duly returned to the plaintiff after completion of the hearing. .

Perused the materials available on record.

Careful perusal of plaint, all the documents filed by the plaintiff, and submission of the plaintiff this Court opined that there is a triable dispute between the plaintiff and the defendants and the documents supplied by the plaintiff primarily evident the fact that the plaintiff has possession over the suit property and if the plaintiff will dispossess from the suit property he will suffer loss. . So, I find a prima facie case in favour of the plaintiff and

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balance of convenience and inconvenience also lies in favour of plaintiff. Accordingly, plaintiff is entitled to get ad interim order.

Hence, it is

ORDERED

that, the defendant nos. 1 & 2 are hereby restrained from creating any kind of disturbance in the peaceful possession of the plaintiff in the suit property and or the defendants are also be restrained from cutting the growing paddy which is standing on the suit property.

The order of ad interim injunction is subject to extension from time to time, if prayed for and allowed or unless changed or varied.

Plaintiff is directed to comply with this order strictly according to law.

To date for filing objection by the defendants if any.

T/c by me.

S/d- Lipika Das
Civil Judge Jr.Divn