

**In the Court of the Civil Judge (Junior Division),  
Kakdwip, South 24-Parganas.**

Present: Smt. Urmi Sinha;

Civil Judge (Junior Division)

Kakdwip, South 24-Parganas.

**Title Suit Case No. 90/2016**

**contd.....**

**Order no.1,**

**Dated-28.03.16.** Plaintiff has filed hazira.

Record is put up by the plaintiff for hearing of ad interim injunction petition.

Now the record is taken up for hearing of the injunction application.

Heard Ld. Advocate for the plaintiff.

Perused the injunction application, plaint, affidavit, documents filed by plaintiff and materials on record.

Ld. Advocate for the plaintiff prays for passing an order of injunction so that the defendant may be restrained from interfering with the right, title, interest and possession of the plaintiff in respect of suit property and defendant be further restrained from dispossessing the plaintiff from the suit property.

It is the case of plaintiff had acquired the suit property by virtue of a deed of patta. Plaintiff has recorded his name in LR ROR of khatian no.2504 and depositing govt. rent. Defendant has no right, title and interest in the suit property is forcefully trying to construct new structure on the suit property. Plaintiff has thus filed the suit for declaration of title and permanent injunction. At this stage Ld. Lawyer for the plaintiff submits about the urgency of the situation and thus prays for an injunction order in ad interim stage.

On perusal of the petition, materials on record and documents filed by plaintiff and on submission made by the Ld. Advocate for the plaintiff, prima facie it appears to me that plaintiff has acquired suit property by way of patta. However, In my considered view I also find a situation of urgency prevailing because if nature and character of the suit property is changed then plaintiff are going to suffer irreparable loss and injury. Thus, I am inclined to pass an ad interim order of injunction in favour of plaintiff.

Hence, it is

**ORDERED**

that both parties are directed to maintain status quo with respect to possession and nature and character of the suit property as exist today till **15-04-2016**. Issue notice upon

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(2)

defendant. to show-cause within 10 days from receiving of the notice as to why the temporary injunction as prayed by plaintiff shall not be granted.

Plaintiff is directed to comply provision of u/o-39 rule-3 (a) and 3 (b) of CPC.

Plaintiff is directed to file requisites at once.

***To 15.04.16 for S/R and A/D appearance of defendant.***

***Civil Judge (Junior Division)  
Kakdwip, South 24-Parganas.***