

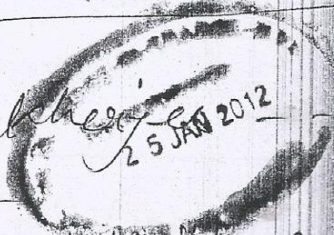
X 562  
27.01.12

In the 2nd. court of Id. civil judge (Sr. Div) at  
Howrah.

T.S No - 13 of 2012

Anutosh mukherjee - Plaintiff

Debatosh mukherjee & sons - Defendants



49  
31.01.12



*Handwritten text, possibly a signature or name, appearing in the upper right quadrant of the page.*



*Handwritten text, possibly a date or reference number, appearing in the lower center of the page. It includes a horizontal line and some numbers that appear to be '31-01-15'.*



# FORM OF ORDER SHEET

DISTRICT  
COURT OF

Present :—

SUIT / CASE NO.

13 OF 13

Anantosh Mukherjee versus Debatosh Mukherjee

Serial number.	Date of Order or Proceeding.	Order or other Proceeding.	Signature of Court.	Office action taken on order with date and dated signature of pleaders or parties when necessary.
1	2	3	4	5

1 25<sup>01</sup>/<sub>12</sub>

Received plaint-form  
central filing computer  
See. now. regd. Bm.  
files rogationama along  
with requisites with B-fu.  
The same fixing  
15-03-12 for SFR & B  
Bm. also files an  
att. Bm. No 39 R 1 2 2  
praying for an order  
of temporary admissum  
inj. against the defds  
on the grounds as stated in  
the Bm.

No caveat  
3d  
25/11/12

25/01/12

SL. 66  
CDX 562  
Two slits  
30.1.12



# FORM OF ORDER SHEET

DISTRICT

COURT OF

Present :-

SUIT / CASE No.

Title suit 13 of 2012

versus

Serial number	Date of Order or proceeding	Order or other proceeding	Sign of Court	Office action taken on order
25.1.2012		<p>The record is put up for order with respect to the prayer made by the plaintiff under Order 39 rule 1 and 2 read with section 151 of the C.P. code</p> <p>The plaintiff case in brief is that both the plaintiff and the defendant are members of the joint Hindu family and legal heirs of Purnendu bhusan Mukherjee who was the original owner of the suit property by dint of a purchase deed dated 2.7.1938. The said property had been recorded in his name. After his death his widow Pratima Mukherjee, his six sons and three daughters became the joint owners of the suit property by virtue of inheritance and there was a clear understanding between the parties that the property will be divided by amicably partition among the legal heirs of Purnendu bhusan Mukherjee. The widow of purnendu Bhusan Mukherjee died in the year 1986 leaving the rest of the heirs as legal representatives, among which, one of the sons namely, Santosh Mukherjee also died bachelor, as a result of which, the suit property came to inherited by the plaintiff and the defendants, in proportionate share each. One of the co sharers Portiosh Mukherjee also died in the year 2001 after bequeathing his proportionate share in the property in favour of his son, Animesh (defendant no.3) on execution of the will. Another co sharer Anotosh Mukherjee also died leaving behind the defendant nos. 4 and 5. one of the sisters Saraswati Ghoshal died leaving behind the defendant nos 8 and 9. It is a case of the plaintiff that after the death of their mother the defendant no.1 has surreptitiously taken away all the deeds and documents in his custody. In or about December 1984 there was a mutual arrangement between the parties by which it was decided that the plaintiff will be given full responsibility to look after their mother. Since then the plaintiff has been residing in a portion of the ancestral residential house (the suit property) on payment of all municipal taxes. The defendant no.1 had purchased a flat nearby the suit property and it has been alleged by the plaintiff that the former had been disturbing his possession in the suit property for which he had to taken shelter before the Ld. Executive Magistrate court and pray for a</p>		



temporary order for maintaining peace. In view of this, the plaintiff had prayed for the relief of injunction against the defendant no.1 from restraining him from causing any change in the nature and character of the suit property or disturbing his possession, therein.

I have heard the submission of the Id. Counsel for the plaintiff. I have also perused the record and the relevant original documents, presented on behalf of the plaintiff. It appears to me that the plaintiff has a prima facie case and the balance of convenience and inconvenience also lies in his favour. He has also made out a case of irreparable loss and injury that cannot be compensated by money.

So, I am inclined to allow the prayer for ad interim injunction in favour of the plaintiff. But, since, the property is allegedly a joint property, having not been partitioned yet, I opined that an order of status quo will be fit and just in the present circumstances of the case.

Hence, it is


### ORDERED


that the prayer for ad interim injunction is allowed.

Both the plaintiff and defendant no.1 are directed to maintain status quo in respect of the nature, character and possession of the suit property till 23.2.2012. Issue notice upon the defendant no.1 to show cause within 7 days as to why the prayer for injunction shall not be granted.

Plaintiff to comply with the provisions of Order 39 rule 3 (a) and (b) forthwith

Dictated and corrected by me

  
CJ (SD)

  
Civil Judge (S. D. J.)  
2<sup>nd</sup> court, Hov. 22.

1.12 1.11.12 1.11.12 1.11.12 1.11.12 1.11.12 1.11.12 1.11.12 1.11.12 1.11.12



X 562 ✓ 27.01.12

30.01.12

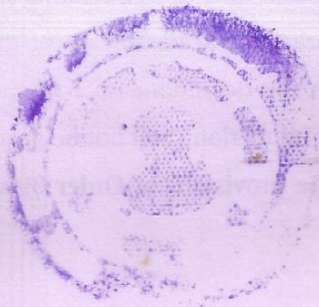
31.01.12

31.01.12

RS 6th & 2 RS 22/-

4 sheets

31/1/12



funder

31.01.12

31.01.12



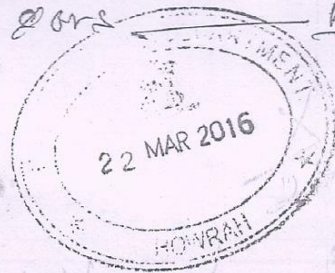
X 3226  
22.3.16

In the 2nd Court of W. Civil Judge (Sr. Div) at  
Howrah,

T.S No - 13/2012

Chiranton Mukherjee & ors ————— Plaintiff

Debastosh Mukherjee & ors ————— Defendant



In the 2nd Court of W. Civil Judge (Sr. Div) at  
Howrah,

Chiranton Mukherjee & ors ————— Plaintiff

Debastosh Mukherjee & ors ————— Defendant



88  
30.3.16







30.3.88



In the court of the  
Civil Judge, (S. Bench)  
2nd Court, Howrah

SL-243  
CD-x3226  
One sheet  
29-03-16

T.S no. 13 of 2012

Order dated. 15.03.2016

The plaintiff files hazira.

The defendants are absent without steps on repeated calls.

Ld. Advocate for the plaintiff verbally prays for making absolute <sup>the</sup> ad-interim order of injunction. ✓

Hd. considered.

Since, the defendants are absent without steps and are not opposing the said verbal submission of Ld. Advocate for <sup>the</sup> plaintiff and since, <sup>the</sup> ad-interim order of injunction is still <sup>in</sup> force, this court is inclined to allow the verbal prayer of the Ld. Advocate for the plaintiff. Though, some rulings were referred by the Ld. Advocate for the defendants on 21.01.2015 but no such rulings seems to have been filed by the Ld. Advocate for the defendants, hence, it can reasonably be assumed that the defendants have not placed those rulings as mentioned in the order dated. 21.01.2015 before this Court.

Hence,

Ordered.

That the ad-interim order of injunction dated. 25.01.2012 is made absolute till the final disposal of the suit.

Both the plaintiff and defendants are directed to maintain status-quo in respect of the nature, character and possession of the suit property till the final disposal of the suit. Accordingly, the petition for temporary injunction is disposed off.

Fix 18.05.2016 for steps.

Dicted. & Corte/By me

C.J. (Sr. Divn.).

2<sup>nd</sup> Court, Howrah

C.J. (Sr. Divn.).

2<sup>nd</sup> Court, Howrah



1. Serial of Application for Copy... **X 3226** **21-22/3/16**  
 2. Date Fixed for Notifying the requisite Stamp... **30/3/16**  
 3. Date of delivery of the requisite Stamp... **30/3/16**  
 4. Date on which the Copy was ready for delivery... **30/3/16**  
 5. Date of making over the Copy to the applicant... **30/3/16**  
 6. Cost of Copy... **81+8/-14/-**  
 7. Number of Letter to be sent... **21/-**

**20/3/16**

Head Comparing Clerk  
 Copying Department  
 Civil Court, Howrah



Compared & found correct

**30.3.16**  
 Comparing Clerk

Issued to the copy

S. Das dt 30.3.16

Head Clerk - 21/-

District Judge's Court

Howrah (Sadar)

Authorized under Section 88,  
 Evidence Act I of 1871