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To THE OFFICER-IN-CHARGE (O/C), ASHIGHAR POLICE OUT-POST, UNDER BHAKTINAGAR P.S., ASHIGHAR, GHOGOMALI, SILIGURI DIST. JALPAIGURI-734006.

· &4-ASHIGHAR OUT POST Under Bhaktinagar R.S.

SUB: F.I.R. FOR BREAKING & CAPTURING OF OUR SCHEDULED PROPERTIES BY VESTED PERSONS

Dear Sir,

This is to INFORM you that. I, Shree Himadri Sarkar, @ Bubai, s/o.Lt.Swadesh Ranjan Sarkar, of Shanti More, Hakimpara, Siliguri, Dist Darjeeling-734001, under Ward no. 15 of S.M.C. Siliguri ,Darjeeling, as an authorised Caretaker (the copy of the letter of AUTHORIZATION is enclosed herewith) of the Scheduled landed property of (1). Shree Dev Vijay Kumar Agarwal, s/o. Shree Vijay Kumar Ram Kishan Agarwal and (2). Smt.Sunita Agarwal, w/o. Shree Dev Vijay Kumar Agarwal, both of Shreekanta Apartment, Ashrampara, P.O. & P.S. Siliguri, Dist. Darjeeling- 734001. They are the absolute Registered owners of the below Scheduled landed properties which are sub-judiced BEFORE the Ld. Civil Judge (Junior Division) at Jalpaiguri vide T.S.No.278/2023 (the xeroxed Copies of the Certified copies of the Ld.Court's Order of Restrain are enclosed herewith).

Just recently they came to know that several persons namely, Mr. Ràjesh Agarwal (Mobile No.98323 25565), s/o. Not known, of Somani Mill Compound, Siliguri, Mr. Suresh Kumar Agarwal (Mobile No.94340 44693), s/o. Late Kundanmall Agarwal, of Indiwala Bhavan, New Kala Niketan, Seth Shreelal Market, P.O. & P.S. Siliguri, Dist Darjeeling- 734001 and along with few antisocial elements have forcefully dismantled/ broken our boundary wall of the adjacent land located at near Mahalaxmi Weigh Bridge, Eastern Bypass Road, P.O. Ghogomali, P.S. Bhaktinagar(within Ashighar Police Outpost), Dist Jalpaiguri- 734006, and have acquired and taken possession despite the Ld. Court's Restrain Order.

They are now demanding huge ransom to again give back the possession and repair the boundary wall.

The said scheduled landed properties' owners are also residing at Surat, Gujarat for their business matters.

Therefore, I, on behalf of the said owners, humbly request you to look into the matter seriously and do the needful against those antisocial and disturbing elements and start proceedings against those as per law.

Thanking you, -

Received on 2/09/24 at 20:20 has voll GOC No-1275 and 8/04/ed Bhe Miregon A ON No-864/24 OH- 2/04/24 N 324(3)/223/324 @) 351 (2) (3 (5) BMS, 2023 and endors of to Yours Faithfully, Asi Topan hu. Loy

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Inspector-in-Charge

Himadri Sarka

Mob.No.94348 60877.

Bhaktinggar Police Station Viliguri Police Commissionerate

IN THE COURT OF CIVIL JUDGE JUNIOR DIVISION COURT, JALPAIGURI

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38

Title Suit or Case No. 278 of 2023

Order No. O)

Date

06/05/23

Plaint filed by the plaintiff in support by an affaidavit, V.nama, reg address, duplicate copy of plaint, xerox copy of documents.

The valuation of the instant suit as given in the plaint is provisionally accepted.

Seen; registered the same as Title Suit.

Process fee has not filed. Plaintiff is directed to file process fee and requisits at once.

To • for S/R.

Plaintiff also files a petition U/O 39 Rule I and 2 read with Sec. 151 of C.P.C in support by an affaidavit praying for temporary injunction restraining into or disturbing the peaceful possession over the land.

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CNR No.WBJP04-000331-2023 T.S. No.278 of 2023

Later, Dated 06.05.2023

Learned Advocate for the plaintiffs moves the application for temporary injunction along with a prayer for ad-interim injunction to the same effect against the defendants.

Jssue notice upon the defendants/opposite parties asking them to show cause within 10 days from the date of receipt of the same as to why the temporary injunction shall not be granted against them as sought for by the plaintiffs/petitioners.

No caveat as reported by the Sheristadar. Perused the plaint, application for temporary injunction, documents, affidavit et cetera.

Learned Advocate for the plaintiffs at the time of hearing files original documents. Copy of same, which have already annexed with plaint.

Having considered the submission of the learned Lawyer for the plaintiffs and also having considered the materials on record and balance of convenience and/or inconvenience as well as the urgency it seems to me that the plaintiffs have a good prima facie case to go into trial, and accordingly, I think it is a fit case for restraining the defendants and their men and agents from causing interference in the peaceful acts of possession of the plaintiffs and forbidding them from encroaching any portion of the suit property forcibly.

Hence, it is

ORDERED

that the prayer for an order of ad-interim injunction is allowed but in part;

that the defendants and their men and agents are hereby restrained from causing interference in the peaceful acts of possession of the plaintiffs and forbidding them from encroaching any portion of the suit property forcibly till 06.06.2023.

The plaintiffs to comply with the provisions of Order 39 Rule 3(a) & (b) of the CPC with promptitude. Plaintiffs to file requisites, at once.

To 06.06.2023 for

- i) SR, AD and PR.
- ii) Filing WO, if any.
- iii) Hearing of the application for injunction

Dictated & corrected by me,

C.J.Jr.Divn. JPG

Civil Judge, Junior Division, Jalpaiguri

MATE 31/5/23

Made Comparing Clark
Copying Department

CARALES COUNTY SAINTS