

D/L- 11  
26/02/2025  
Ct. No.-6  
Aritra

**C.O. 609 of 2025**

**Pravakar Doloi  
Versus  
Ajoy Doloi & Ors.**

Mr. Dhiman Ray  
Mr. Dip Chanda  
Mr. Pritam Modak

...for the petitioner

By the order impugned the application under Section 151 of the Code of Civil Procedure praying for reconstruction of a cowshed which was alleged to have been demolished by the opposite parties herein in violation of an order of injunction stood rejected.

The learned advocate appearing for the petitioner submits that the opposite parties herein has damaged the cowshed in violation of the order of injunction and unless the petitioner is allowed to reconstruct the cowshed the petitioner will suffer irreparable loss and injury. In this regard the learned advocate appearing for the petitioner draws the attention of the Court to the Commissioner's report.

After going through the Commissioner's report this Court finds that the verbal information of the petitioner that the "A" marked broken/ruined house or structure was used as a cowshed was recorded. The learned Trial Judge was right in holding that if the petitioner is allowed to

reconstruct the allegedly broken cowshed the same would change the nature and character of the suit property.

For such reason this Court is not inclined to interfere with the order impugned.

Accordingly, CO 609 of 2024 stands dismissed.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

***(Hiranmay Bhattacharyya, J.)***