

The plaintiff has filed present suit against the defendants for the relief of Partition and Separate Possession in respect of the suit Schedule property. Along with the plaint, the plaintiff has also filed IA No.I U/o. 39 rule 3 of CPC to dispense the Emergent notice to the Defendant No.1. Further the plaintiff has filed IA- 2 U/o 39 Rule 1 and 2 of CPC seeking injunction against the defendant No.1 from alienating and mortgaging the suit schedule property.

I have perused the plaint, IA No.1 and I.A.No.II and accompanying affidavit and the documents produced by the Plaintiff in support of his case. Nature of the property has to be protected, otherwise the very purpose of the filing of the suit will be in fructuous. Hence, I proceed to pass the following:

ORDER

IA No.1 filed by the plaintiff U/o 39 Rule 3 of CPC to dispense the Emergent notice to the Defendant No.1 is allowed.

The defendant No.1 is restrained by way of temporary injunction from alienating and mortgaging Suit schedule property till further Order.

The plaintiff shall comply with provisions of order 39 rule 3(a) of CPC forthwith.

Issue Notice of IA No.II to the defendant No.1 and suit summons to defendant.

Returnable by **04-11-2025**.

(Nagendra)
Civil Judge and JMFC, Belur