

ORDER BELOW EXH. 06

1. The present application is preferred by the applicant for ex-parte ad interim injunction thereby prayed to restrain the defendants/non-applicants from disturbing his possession over the suit property and for mandatory temporary injunction to direct to remove the fencing.
2. Pursued the application and record. As per the pleading of the plaintiff, the defendant by fencing obstructed his possession over the suit property. As per the settled principle of law, remedy of ad-interim mandatory temporary injunction should be granted cautiously in extreme emergency. The record does not show any extreme emergency. Considering the facts laid in pleading, it is desirable to hear the non-applicants /defendants before any order is to be passed. There is no exceptional and compelling case justifying the granting ex-parte ad-interim injunction. Therefore, the prayer of the plaintiff/applicant can be considered after the appearance of non-applicants/defendants. I therefore, pass the following order.

ORDER

1. Issue show cause notice to the non-applicants/defendants that why injunction prayed by the plaintiff/applicant should not be granted.
2. Special bailiff and emergent process are allowed.

Dt. 21/08/2026.

(S. B. Tiwari)
C.J.J.D., Raver.